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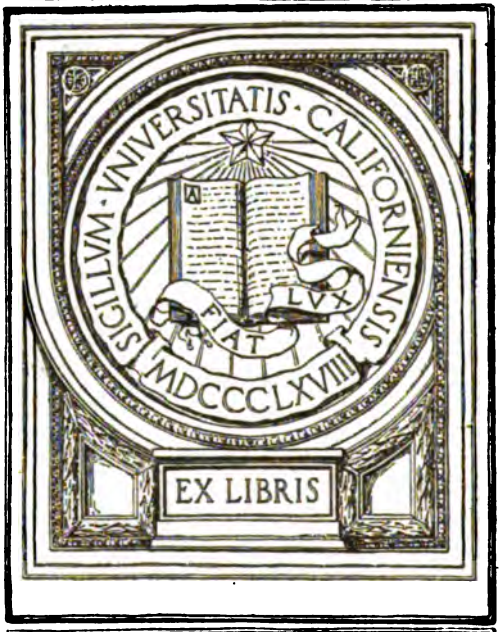
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GIFT OF
JANE K.SATHER



THE FRAMEWORK OF HOME RULE

THE FRAMEWORK OF HOME RULE

BY

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INTRODUCTION

My purpose in this volume is to advocate a definite scheme of self-government for Ireland. That task necessarily involves an historical as well as a constructive argument. It would be truer, perhaps, to say that the greater part of the constructive case for Home Rule must necessarily be historical. To postulate a vague acceptance of the principle of Home Rule, and to proceed at once to the details of the Irish Constitution, would be a waste of time and labour. It is impossible even to attempt to plan the framework of a Home Rule Bill without a tolerably close knowledge not only of Anglo-Irish relations, but of the Imperial history of which they form a part. The Act will succeed exactly in so far as it gives effect to the lessons of experience. It will fail at every point where those lessons are neglected. Constitutions which do not faithfully reflect the experience of the sovereign power which accords them, and of the peoples which have to live under them, are at the best perilous experiments liable to defeat the end of their framers.

I shall enter into history only so far as it is relevant to the constitutional problem, using the comparative method, and confining myself almost exclusively to the British Empire past and present. For the purposes of the Irish controversy it is unnecessary to travel farther. In one degree or another every one of the vexed questions which make up the Irish problem has arisen again and again within the circle of the English-speaking races. As a nation we have a body of experience applicable to the case of Ireland incomparably greater than that possessed by any other race in the world. If, from timidity, prejudice, or sheer neglect, we fail to use it, we shall earn the heavy censure reserved for those who sin against the light.

For the comparative sketch I shall attempt, materials in

the shape of facts established beyond all controversy are abundant. Colonial history, thanks to colonial freedom, is almost wholly free from the distorting influence of political passion. South African history alone will need revision in the light of recent events. When, under the alchemy of free national institutions, Ireland has undergone the same transformation as South Africa, her unhappy history will be chronicled afresh with a juster sense of perspective and a juster apportionment of responsibility for the calamities which have befallen her. And yet, if we consider the field for partisan bias which Irish history presents, the amount of ground common to writers of all shades of political opinion is now astonishingly large. The result, I think, is due mainly to the good influence of that eminent historian and Unionist politician, the late Professor Lecky. Indeed, an advocate of Home Rule, nervously suspicious of tainted material, could afford to rely solely on his "History of Ireland in the Eighteenth Century," "Leaders of Public Opinion in Ireland," and "Clerical Influences," * which are Nationalist textbooks, and, for quite recent events, on "A Consideration of Ireland in the Nineteenth Century," by Mr. G. Locker-Lampson, the present Unionist Member for Salisbury. A strange circumstance; but Ireland, like all countries where political development has been forcibly arrested from without, is a land of unending paradox. It is only one of innumerable anomalies that Irish Nationalists should use Unionist histories as propaganda for Nationalism; that the majority of Irish Unionists should insist on ignoring all historical traditions save those which in any normal country would long ago have been consigned by general consent to oblivion and the institutions they embody overthrown; and that Unionist writers such as those I have mentioned should be able to reconcile their history and their politics only by a pessimism with regard to the tendencies of human nature in general, or of Irish nature in particular, with which their own historical teaching, founded on a true perception of cause and effect, appears to be in direct contradiction.

The truth is that the question is one of the construction, not of the verification, of facts; of prophecy for the future, rather

* The two latter works were written by Mr. Lecky in his Nationalist youth the first and greater work after he had become a Unionist. They form a connected whole, however, and are not inconsistent with one another.

than of bare affirmation or negation. No one can presume to determine such a question without a knowledge of how human beings have been accustomed to act under similar circumstances. Illumination of that sort Irish history and the contemporary Irish problem incontestably need. The modern case for the Union rests mainly on the abnormality of Ireland, and that is precisely why it is such a formidable case to meet. For Ireland in many ways is painfully abnormal. The most cursory study of her institutions and social, economic, and political life demonstrate that fact. The Unionist, fixing his eyes on some of the secondary peculiarities, and ignoring their fundamental cause, demonstrates it with ease, and by a habit of mind which yields only with infinite slowness to the growth of political enlightenment, passes instinctively to the deduction that Irish abnormalities render Ireland unfit for self-government. In other words, he prescribes for the disease a persistent application of the very treatment which has engendered it. Whatever the result, there is a plausible answer. If Ireland is disorderly and retrograde, how can she deserve freedom ? If she is peaceful, and shows symptoms of economic recuperation, clearly she does not need or even want it. In other words, if all that is healthy in the patient battles desperately and not in vain, first against irritant poison, and then against soporific drugs, this healthy struggle for self-preservation is attributed not to native vitality, but to the bracing regimen of coercive government.

This train of argument, so far from being confined to Ireland, is as old as the human race itself. Of all human passions, that for political domination is the last to yield to reason. Men are naturally inclined to attribute admitted social evils to every cause—religion, climate, race, congenital defects of character, the inscrutable decrees of Divine Providence—rather than to the form of political institutions ; in other words, to the organic structure of the community, and to rest the security of an Empire on any other foundation than that of the liberty of its component parts. If, in one case, their own experience proves them wrong, they will go to the strangest lengths of perversity in misreading their own experience, and they will seek every imaginable pretext for distinguishing the next case from its predecessor. Underlying all is a nervous terror of the abuse of freedom founded on the assumption that

men will continue to act when free exactly as they acted under the demoralizing influence of coercion. The British Empire has grown, and continues to grow, in spite of this deeply rooted political doctrine. Ireland is peculiar only in that her proximity to the seat of power has exposed her for centuries to an application of the doctrine in its most extreme form and without any hope of escape through the merciful accidents to which more fortunate communities owe their emancipation. Canada owes her position in the Empire, and the Empire itself exists in its present form to-day, owing to the accident that the transcendantly important principle of responsible government advocated by Lord Durham as a remedy for the anarchy and stagnation in which he found both the British and the French Provinces of Canada in 1838, did not require Imperial legislation, and was established without the Parliamentary or electoral sanction of Great Britain. Lord Durham was derided as a visionary, and abused as unpatriotic for the assertion of this simple principle. Far in advance of his time as he was, he himself shrank from the full application of his own lofty ideal, and consequently made one great, though under the circumstances not a capital, mistake in his diagnosis, and it was to that mistake only that Parliament gave legislative effect in 1840. By one of the most melancholy ironies in all history Ireland was the source of his error, so that the Union of the Canadas, dissolved as a failure by the Canadians themselves in 1867, was actually based on the success of the Anglo-Irish Union in repressing a dangerous nationality. Did the proof of the error in Canada induce Englishmen to question the soundness of the precedent on which the error was based? On the contrary, the lesson passed unnoticed, and the Irish precedent has survived to darken thought, to retard democratic progress, and to pervert domestic and Imperial policy to this very day. It even had the truly extraordinary retrospective effect of obliterating from the minds of many eminent statesmen the significance of the Canadian parallel; for it is only six years ago that a Secretary of State for the Colonies penned a despatch recommending for the Transvaal a form of government similar to that which actually produced the Canadian disorders of 1837, and supporting it by an argument whose effect was not merely to resuscitate what time had proved to be false in Durham's doctrine, but to discard what time had proved

to be true. As for Ireland herself, I know no more curious illustration of the strong tendency, even on the part of the most fair-minded men, to place that country outside the pale of social or political science, and of the extreme reluctance to judge its inhabitants by the elementary standards of human conduct, than the book to which I referred above—Mr. Locker-Lampson's "A Consideration of Ireland in the Nineteenth Century." For what he admits to be the ruinous results of British Government in the past, the author in the last few pages of a lengthy volume has no better cure to suggest than a continuance of British government, and he defends this course by a terse enumeration of the very phenomena which in Durham's opinion rendered the grant of Home Rule to Canada imperative, concluding with a paragraph which, with the substitution of "Canada" for "Ireland," constitutes an admirably condensed epitome of the arguments used both by politicians at home, and the minorities in Canada, in favour of Durham's error and against the truth he established.

Mr. Lecky represents a somewhat different school of thought, and reached his Unionism by reasoning more profound and consistent, but, on the other hand, wholly destructive of the Imperial theory as held by the modern school of Imperialists. His fear and distrust of democracy in all its forms and in all lands* was such that he naturally dreaded Irish Nationalism, which is a form of democratic revolt suppressed so long and by such harsh methods as to exhibit features easily open to criticism. But the gist of his argument would have applied just as well to the political evolution of the self-governing Colonies. Indeed, if he had lived to see the last Imperial Conference, the pessimism of so clear a thinker would assuredly have given way before the astounding contrast between those countries in which his political philosophy had been abjured, and the only white country in the Empire where by sheer force it had been maintained intact.

If my only object in writing were to contribute something toward the dissipation of the fears and doubts which render it so hard to carry any measure, however small, of Home Rule for Ireland, I should hope for little success. Practical men, with a practical decision to make, rarely look outside the immediate facts before them. Extremists, in a case like that

* See "Democracy and Liberty."

of Ireland, are reluctant to take account of what Lord Morley calls "the fundamental probabilities of civil society." Sir Edward Carson would be more than human if he were to be influenced by a demonstration that the case he makes against Home Rule is the same as that made by the minority leaders, not only in the French, but in the British Province of Canada. Most of the minority to which he appeals would now regard as an ill-timed paradox the view that the very vigour of their opposition to Home Rule is a better omen for the success of Home Rule than that kind of sapless Nationalism, astonishingly rare in Ireland under the circumstances, which is inclined to yield to the insidious temptation of setting the "eleemosynary benefits" —to use Mr. Walter Long's phrase*—derived from the British connection above the need for self-help and self-reliance. The real paradox is that any Irishmen, Unionist or Nationalist, should tolerate advisers who, however sincere and patriotic, avowedly regard Ireland as the parasite of Great Britain; who appeal to the lower nature of her people; to the fears of one section and the cupidity of both; advising Unionists to rely on British power and all Irishmen on British alms. A day will come when the humiliation will be seen in its true light. Even now, I do venture to appeal to that small but powerful group of moderate Irish Unionists who, so far from fearing revenge or soliciting charity, spend their whole lives in the noble aim of uniting Irishmen of all creeds on a basis of common endeavour for their own economic and spiritual salvation; who find their work checked in a thousand ways by the perpetual maintenance of a seemingly barren and sentimental agitation; who distrust both the parties to this agitation; but who are reluctant to accept the view that, without the satisfaction of the national claim, and without the national responsibility thereby conferred, their own aims can never be fully attained. I should be happy indeed if I could do even a little towards persuading some of these men that they mistake cause and effect; misinterpret what they resent; misjudge where they distrust, and in standing aloof from the battle for

* "Did the people of Ireland understand that the destruction of the Union, so lightly advocated by Lord Haldane, must result in the cessation of those largely eleemosynary benefits to which the progress of Ireland is due, her 'dissatisfaction' would be unmistakably directed towards her false advisers?"—Letter to the *Belfast Telegraph*, October 7, 1911, criticizing Lord Haldane's preface to "Home Rule Problems."

legislative autonomy, unconsciously concede a point—disinterested, constructive optimists as they are—to the interested and destructive pessimism which, from Clare's savage insults to Mr. Walter Long's contemptuous patronage, has always lain at the root of British policy towards Ireland.

In the meantime, for those who like or dislike it, Home Rule is imminent. We are face to face no longer with a highly speculative, but with a vividly practical problem, raising legislative and administrative questions of enormous practical importance, and next year we shall be dealing with this problem in an atmosphere of genuine reality totally unlike that of 1886, when Home Rule was a startling novelty to the British electorate, or of 1893, when the shadow of impending defeat clouded debate and weakened counsel. It would be pleasant to think that the time which has elapsed, besides greatly mitigating anti-Irish prejudice, had been used for scientific study and dispassionate discussion of the problem of Home Rule. Unfortunately, after eighteen years the problem remains almost exactly where it was. There are no detailed proposals of an authoritative character in existence. No concrete scheme was submitted to the country in the recent elections. None is before the country now. The reason, of course, is that the Irish question is still an acute party question, not merely in Ireland, but in Great Britain. Party passion invariably discourages patient constructive thought, and all legislation associated with it suffers in consequence. Tactical considerations, sometimes altogether irrelevant to the special issue, have to be considered. In the case of Home Rule, when the balance of parties is positively determined by the Irish vote, the difficulty reaches its climax. It is idle to blame individuals. We should blame the Union. So long as one island democracy claims to determine the destinies of another island democracy, of whose special needs and circumstances it is admittedly ignorant, so long will both islands suffer.

This ignorance is not disputed. No Irish Unionist claims that Great Britain should govern Ireland on the ground that the British electorate, or even British statesmen, understand Irish questions. On the contrary, in Ireland, at any rate, their ignorance is a matter for satirical comment with all parties. What he complains of is, that the British electorate is beginning to carry its ignorance to the point of believing that

the Irish electorate is competent to decide Irish questions, and in educating the British electorate he has hitherto devoted himself exclusively to the eradication of this error. The financial results of the Union are such that he is now being cajoled into adding, "It is your money, not your wisdom, that we want." Once more, an odd state of affairs, and some day we shall all marvel in retrospect that the Union was so long sustained by a separatist argument, reinforced in latter days by such an inconsistent and unconscionable claim.

In the meantime, if only the present situation can be turned to advantage, this crowning paradox is the most hopeful element in the whole of a tangled question. It is not only that the British elector is likely to revolt at once against the slur upon his intelligence and the drain upon his purse, but that Irish Unionism, once convinced of the tenacity and sincerity of that revolt, is likely to undergo a dramatic and beneficent transformation. If they are to have Home Rule, Irish Unionists—even those who now most heartily detest it—will want the best possible scheme of Home Rule, and the best possible scheme is not likely to be the half measure which, from no fault of the statesman responsible for it, tactical difficulties may make inevitable. If the vital energy now poured into sheer uncompromising opposition to the principles of Home Rule could be transmuted into intellectual and moral effort after the best form of Home Rule, I believe that the result would be a drastic scheme.

Compromise enters more or less into the settlement of all burning political questions. That is inevitable under the party system; but of all questions under the sun, Home Rule questions are the least susceptible of compromise so engendered. The subject, in reality, is not suitable for settlement at Westminster. This is a matter of experience, not of assertion. Within the present bounds of the Empire no lasting Constitution has ever been framed for a subordinate State to the moulding of which Parliament, in the character of a party assembly, contributed an active share. Constitutions which promote prosperity and loyalty have actually or virtually been framed by those who were to live under them. If circumstances make it impossible to adopt this course for Ireland, let us nevertheless remember that all the friction and enmity between the Mother Country and subordinate States have arisen, not from the

absence, but from the inadequacy of self-governing powers. Checks and restrictions, so far from benefiting Great Britain or the Colonies, have damaged both in different degrees, the Colonies suffering most because these checks and restrictions produce in the country submitted to them peculiar mischiefs which exist neither under a despotic régime nor an unnatural Legislative Union, fruitful of evil as both those systems are. The damage is not evanescent, but is apt to bite deep into national character and to survive the abolition of the institutions which caused it. The Anglo-Irish Union was created and has ever since been justified by a systematic defamation of Irish character. If it is at length resolved to bury the slander and trust Ireland, in the name of justice and reason let the trust be complete and the institutions given her such as to permit full play to her best instincts and tendencies, not such as to deflect them into wrong paths. Let us be scrupulously careful to avoid mistakes which might lead to a fresh campaign of defamation like that waged against Canada, as well as Ireland, between 1830 and 1840.

The position, I take it, is that most Irish Unionists still count, rightly or wrongly, on defeating Home Rule, not only in the first Parliamentary battle, but by exciting public opinion during the long period of subsequent delay which the Parliament Bill permits. Not until Home Rule is a moral certainty, and perhaps not even then, do the extremists intend to consider the Irish Constitution in a practical spirit. Surely this is a perilous policy. Surely it must be so regarded by the moderate men—and there are many—who, if Home Rule comes, intend to throw their abilities into making it a success, and who will be indispensable to Ireland at a moment of supreme national importance. Irretrievable mistakes may be made by too long a gamble with the chances of political warfare. Whatever the scheme produced, the extremists will have to oppose it tooth and nail. If the measure is big, sound, and generous, it will be necessary to attack its best features with the greatest vigour; to rely on beating up vague, anti-separatist sentiment in Great Britain; to represent Irish Protestants as a timid race forced to shelter behind British bayonets; in short, to use all the arguments which, if Irish Unionists were compelled to frame a Constitution themselves, they would scorn to employ, and which, if grafted on the Act

in the form of amendments, they themselves in after-years might bitterly regret. Conversely, if the measure is a limited one, it will be necessary to commend its worst features; to extol its eleemosynary side and all the infractions of liberty which in actual practice they would find intolerably irksome. Whatever happens, things will be said which are not meant, and passions aroused which will be difficult to allay on the eve of a crisis when Ireland will need the harmonious co-operation of all her ablest sons.

If, behind the calculation of a victory within the next two years, there lies the presentiment of an eventual defeat, let not the thought be encouraged that a better form of Home Rule is likely to come from a Tory than from a Liberal Government. Many Irish Unionists regard the prospect of continued submission to a Liberal, or what they consider a semi-Socialist, Government as the one consideration which would reconcile them to Home Rule. No one can complain of that. But they make a fatal mistake in denying Liberals credit for understanding questions of Home Rule better than Tories. That, again, is a matter of proved experience. Compare the abortive Transvaal Constitution of 1905 with the reality of 1906, and measure the probable consequences of the former by the actual results of the latter. Let them remember, too, that every year which passes aggravates the financial difficulties which imperil the future of Ireland.

The best hope of securing a final settlement of the Irish question in the immediate future lies in promoting open discussion on the details of the Home Rule scheme, and of drawing into that discussion all Irishmen and Englishmen who realize the profound importance of the issue. This book is offered as a small contribution to the controversy.

For help in writing it I am deeply indebted to many friends on both sides of the Irish Channel, in Ireland to officials and private persons, who have generously placed their experience at my disposal; while in England I owe particular thanks to the Committee of which I had the honour to be a member, which sat during the summer of this year under the chairmanship of Mr. Basil Williams, and which published the series of essays called "Home Rule Problems."

E. C.

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ERRATA

SINCE this book went to press the Treasury has issued a revised version of Return No. 220, 1911 [Revenue and Expenditure (England, Scotland, and Ireland)], cancelling the Return issued in July, and correcting an error made in it. It now appears that the "true" Excise revenue attributable to Ireland from *spirits* in 1910-11 (with deductions made by the Treasury from the sum actually collected in Ireland) should be £3,575,000, instead of £3,734,000, and that the total "true" Irish revenue in that year was, therefore, £11,506,500, instead of £11,665,500. In other words, Irish revenue for 1910-11 was over-estimated in the Return now cancelled by £159,000.

The error does not affect the Author's argument as expounded in Chapters XII. and XIII.; but it necessitates the correction of a number of figures given by him, especially in Chapter XII., the principal change being that the deficit in Irish revenue, as calculated on the mean of the two years 1909-10 and 1910-11, should actually be £1,392,000, instead of £1,312,500.

The full list of corrections is as follows:

Page 259, line 9, *for* "£1,312,500," *read* "£1,392,000."

Page 260, table, third column, line 6, *for* "£10,032,000," *read* "£9,952,500"; last line, *for* "£1,312,500," *read* "£1,392,000."

Page 261, table, last column, last line but one, *for* "£321,000," *read* "£162,000"; last line (total), *for* "£329,780,970," *read* "£329,621,970."

Page 262, line 7, *for* "£10,032,000," *read* "£9,952,500"; line 10, *for* "£1,312,500," *read* "£1,392,000."

Page 275, table, last column, line 2, *for* "£3,734,000," *read* "£3,575,000"; line 7, *for* "£10,371,000," *read* "£10,212,000"; line 14, *for* "£11,665,500," *read*, "£11,506,500"; in text, last line but one of page, *for* "£10,032,000," *read* "£9,952,500."

Page 276, line 5, *for* "£500,000," *read* "£340,000"; table, last column, line 2, *for* "£3,316,000," *read* "£3,236,500"; line 3, *for* "£6,182,000," *read* "£6,102,500"; line 9, *for* "£8,737,500," *read* "£8,658,000"; last line, *for* "£10,032,000," *read* "£9,952,500."

Page 277, line 2, *for* "£1,672,500," *read* "£1,752,000"; line 7, *for* "£1,312,500," *read* "£1,392,000"; line 8, *for* "£10,032,000," *read* "£9,952,500"; line 12, *for* "£1,672,500," *read* "£1,752,000"; footnote, line 1, *for* "£1,793,000," *read* "£1,952,000."

Page 279, line 8, *for* "70·75," *read* "70·48."

Page 282, sixth line from bottom, *for* "£1,312,500," *read* "£1,392,000."

Page 246, line 8 and footnote, and page 295, lines 21–31: A temporary measure has been passed (Surplus Revenue Act, 1910), under which the Surplus Commonwealth Revenue is returned to the States on a basis of £1 5s. per head of the population of each State.

Page 288, line 2, *omit* "like the Isle of Man and the Channel Islands." These islands have distinct local tariffs, but they cannot be said to be wholly under local control.

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THE FRAMEWORK OF HOME RULE

CHAPTER I

THE COLONIZATION OF IRELAND AND AMERICA

I.

IRELAND was the oldest and the nearest of the Colonies. We are apt to forget that she was ever colonized, and that for a long period, although styled a Kingdom, she was kept in a position of commercial and political dependence inferior to that of any Colony. Constitutional theory still blinds a number of people to the fact that in actual practice Ireland is still governed in many respects as a Colony, but on principles which in all other white communities of the British Empire are extinct. Like all Colonies, she has a Governor or Lord-Lieutenant of her own, an Executive of her own, and a complete system of separate Government Departments, but her people, unlike the inhabitants of a self-governing Colony, exercise no control over the administration. She possesses no Legislature of her own, although in theory she is supposed to possess sufficient legislative control over Irish affairs through representation in the Imperial Parliament. In practice, however, this control has always been, and still remains, illusory, just as it would certainly have proved illusory if conferred upon any Colony. It can be exercised only by cumbrous, circuitous, and often profoundly unhealthy methods; and over a wide range of matters it cannot by any method whatsoever be exercised at all.

To look behind mere technicalities to the spirit of government, Ireland resembles one of that class of Crown Colonies of which Jamaica and Malta are examples, where the in-

habitants exercise no control over administration, and only partial control over legislation.*

Why is this ?

Mr. Joseph Chamberlain, always frank and fearless in his political judgments, gave the best answer in 1893, when opposing the first reading of the second of Mr. Gladstone's Home Rule Bills. "Does anybody doubt," he said, "that if Ireland were a thousand miles away from England she would not have been long before this a self-governing Colony ?" Now this was not a barren geographical truism, which might by way of hypothesis be applied in identical terms to any fraction of the United Kingdom—say, for example, to that part of England lying south of the Thames. Mr. Chamberlain never made any attempt to deny—no one with the smallest knowledge of history could have denied—that Ireland, though only sixty miles away from England, was less like England than any of the self-governing Colonies then attached to the Crown, possessing distinct national characteristics which entitled her, in theory at any rate, to demand, not merely colonial, but national autonomy. On the contrary, Mr. Chamberlain went out of his way to argue, with all the force and fire of an accomplished debater, that the Bill was a highly dangerous measure precisely because, while granting Ireland a measure of autonomy, it denied her some of the elementary powers, not only of colonial, but of national States ; for instance, the full control over taxation, which all self-governing Colonies possessed, and the control over foreign policy, which is a national attribute. The complementary step in his argument was that, although nominally withheld by statute, these fuller powers would be forcibly usurped by the future Irish Government through the leverage offered by a subordinate Legislature and Executive, and that, once grasped, they would be used to the injury of Great Britain and the minority in Ireland. Ireland ("a fearful danger") might arm, ally herself with France, and, while submitting the Protestant minority to cruel persecution, would retain enough national unity to smite Britain hip and thigh, and so avenge the wrong of ages.

Even to the most ardent Unionist the case thus presented

* Class C. in Sir William Anson's classification, "Law and Custom of the Constitution," p. 253.

must, in the year 1911, present a doubtful aspect. The British *entente* with France, and the absence of the smallest ascertainable sympathy between Ireland and Germany, he will dismiss, perhaps, as points of minor importance, but he will detect at once in the argument an antagonism, natural enough in 1893, between national and colonial attributes, and he will remember, with inner misgivings, that his own party has taken an especially active part during the last ten years in furthering the claim of the self-governing Colonies to the status of nationhood as an essential step in the furtherance of Imperial unity. The word "nation," therefore, as applied to Ireland, has lost some of its virtue as a deterrent to Home Rule. Even the word "Colony" is becoming harmless; for every year that has passed since 1893 has made it more abundantly clear that colonial freedom means colonial friendship; and, after all, friendship is more important than legal ties. In one remarkable case, that of the conquered Dutch Republic in South Africa, a flood of searching light has been thrown on the significance of those phrases "nation" and "Colony." There, as in Ireland, and originally in Canada, "national" included racial characteristics, and colonial autonomy signified national autonomy in a more accurate sense than in Australia or Newfoundland. But we know now that it does not signify either a racial tyranny within those nations, or a racial antipathy to the Mother Country; but, on the contrary, a reconciliation of races within and friendship without.

Would Mr. Chamberlain recast his argument now? Unhappily, we shall not know. But it does seem to me that recent history and his own temperament would force him to do so. As in his abandonment of Free Trade, it was a strong and sincere Imperialist instinct that eventually transformed him from the advocate of provincial Home Rule into the relentless enemy of Home Rule in any shape. Take the Imperial argument, shaken to its foundations by subsequent events, from the case he stated in 1893, and what remains? Two pleas only—first, the abnormality of Irishmen; second, Ireland's proximity to England. The first expresses the old traditional view that Ireland is outside the pale of all human analogy; the exception to all rules; her innate depravity and perversity such that she would abuse power where others respect it, derive enmity

where others derive friendship, and willingly ruin herself by internal dissension and extravagant ambitions in order, if possible, at the same time to ruin England. Unconnected, however loosely, with the high Imperial argument, I do not believe that this plea could have been used with sincerity by Mr. Chamberlain even in 1893. He was a democrat, devoted to the cause of enfranchising and trusting the people ; and this plea was, after all, only the same anti-democratic argument applied to Ireland, and tipped with racial venom, which had been used for generations by most Tories and many Whigs against any extension of popular power. Lord Randolph Churchill, the Tory democrat, in his dispassionate moments, always scouted it, resting his case against Home Rule on different grounds. It was strange enough to see the argument used by the Radical author of all the classic denunciations of class ascendancy and the classic eulogies of the sense, forbearance and generosity of free electorates. It was all the stranger in that Mr. Chamberlain himself a few years before had committed himself to a scheme of restricted self-government for Ireland, and in the debates on Mr. Gladstone's first Home Rule Bill of 1886, when the condition of Ireland was far worse than in 1893, had declared himself ready to give that country a Constitution similar to that enjoyed by Quebec or Ontario within the Dominion of Canada. But politics are politics. Under the inexorable laws of the party game, politicians are advocates and swell their indictments with every count which will bear the light. The system works well enough in every case but one—the indictment of a fellow-nation for incapacity to rule itself. There, both in Ireland and everywhere else, as I shall show, it works incalculable mischief. Once committed irrevocably to the opposition of Mr. Gladstone's Bills, Mr. Chamberlain, standing on Imperial ground, which seemed to him and his followers firm enough then, used his unrivalled debating powers to traduce and exasperate the Irish people and their leaders by every device in his power.

One other point survives in its integrity from the case made by Mr. Chamberlain in 1893, and that is the argument about distance. Clearly this is a quite distinct contention from the last ; for distance from any given point does not by itself radically alter human nature. Australians are not

twice as good or twice as bad as South Africans because they are twice as far from the Mother Country. "Does anybody doubt"—let me repeat his words—"that if Ireland were a thousand miles from England she would not have been long before this a self-governing Colony?" The whole tragedy of Ireland lies in that "if"; but the condition is, without doubt, still unsatisfied. Ireland is still only sixty miles away from the English shores, and the argument from proximity, for what it is worth, is still plausible. To a vast number of minds it still seems conclusive. Put the South African parallel to the average moderate Unionist, half disposed to admit the force of this analogy, he would nevertheless answer: "Ah, but Ireland is so near." Well, let us join issue on the two grounds I have indicated—the ground of Irish abnormality, and the ground of Ireland's proximity. It will be found, I think, that neither contention is tenable by itself; that a supporter of one unconsciously or consciously reinforces it by reference to the other, and that to refute one is to refute both. It will be found, too, that, apart from mechanical and unessential difficulties, the whole case against Home Rule is included and summed up in these two contentions, and that the mechanical problem itself will be greatly eased and illuminated by their refutation.

II.

Those sixty miles of salt water which we know as the Irish Channel—if only every Englishman could realize their tremendous significance in Anglo-Irish history—what an ineffectual barrier "in the long result of time" to colonization and conquest; what an impassable barrier—through the ignorance and perversity of British statesmanship—to sympathy and racial fusion!

For eight hundred years after the Christian era her distance from Europe gave Ireland immunity from external shocks, and freedom to work out her own destiny. She never, for good or ill, underwent Roman occupation or Teutonic invasion. She was secure enough to construct and maintain unimpaired a civilization of her own, warlike, prosperous, and marvellously rich, for that age, in scholarship and culture. She

produced heroic warriors, peaceful merchants, and gentle scholars and divines; poets, musicians, craftsmen, architects, theologians. She had a passion for diffusing knowledge, and for more than a thousand years sent her missionaries of piety, learning, art, and commerce, far and wide over Europe. For two hundred years she resisted her first foreign invaders, the Danes, with desperate tenacity, and seems to have absorbed into her own civilization and polity those who ultimately retained a footing on her eastern shores.

With the coming of the Anglo-Normans at the end of the twelfth century the dark shadow begins to fall, and for the first time the Irish Channel assumes its tragic significance. England, compounded of Britons, Teutons, Danes, Scandinavians, Normans, with the indelible impress of Rome upon the whole, had emerged, under Nature's mysterious alchemy, a strong State. Ireland had preserved her Gaelic purity, her tribal organization, her national culture, but at the cost of falling behind in the march of political and military organization. Sixty miles divided her from the nearest part of the outlying dominions of feudal England, 150 miles from the dynamic centre of English power. The degree of distance seems to have been calculated with fatal exactitude, in correspondence with the degrees of national vitality in the two countries respectively, to produce for ages to come the worst possible effects on both. The process was slow. Ireland was near enough to attract the Anglo-Norman adventurers and colonists, but strong enough and fair enough for three hundred years to transform them into patriots "more Irish than the Irish"; always, however, too near and too weak, even with their aid, to expel the direct representatives of English rule from the foothold they had obtained on her shores, while at the same time too far and too formidable to enable that rule to expand into the complete conquest and subjugation of the realm.

"The English rule," says Mr. Lecky, "as a living reality, was confined and concentrated within the limits of the Pale. The hostile power planted in the heart of the nation destroyed all possibility of central government, while it was itself incapable of fulfilling that function. Like a spear-point embedded in a living body, it inflamed all around it and deranged every

vital function. It prevented the gradual reduction of the island by some native Clovis, which would necessarily have taken place if the Anglo-Normans had not arrived, and instead of that peaceful and almost silent amalgamation of races, customs, laws, and languages, which took place in England, and which is the source of many of the best elements in English life and character, the two nations remained in Ireland for centuries in hostility."

From this period dates that intense national antipathy felt by the English for the Irish race which has darkened all subsequent history. It was not originally a temperamental antipathy, or it would be impossible to explain the powerful attraction of Irish character, manners, and laws for the great bulk of the Anglo-Norman colonists. Nor within Ireland, even after the Reformation, was it a religious antipathy between a Protestant race and a race exclusively and immovably Catholic. It was in origin a political antipathy between a small official minority, backed by the support of a powerful Mother Country struggling for ascendancy over a large native and naturalized majority, divided itself by tribal feuds, but on the whole united in loathing and combating that ascendancy. Universal experience, as I shall afterwards show, proves that an enmity so engendered takes a more monstrous and degrading shape than any other. Religion becomes its pretext. Ignorance makes it easy, and interest makes it necessary, to represent the native race as savages outside the pale of law and morals, against whom any violence and treachery is justifiable. The legend grows and becomes a permanent political axiom, distorting and abasing the character of those who act on it and those who, suffering from it, and retaliating against its consequences, construct their counter-legend of the inherent wickedness of the dominant race. If left to themselves, white races, of diverse nationalities, thrown together in one country, eventually coalesce, or at least learn to live together peaceably. But if an external power too remote to feel genuine responsibility for the welfare of the inhabitants, while near enough to exert its military power on them, takes sides in favour of the minority, and employs them as its permanent and privileged garrison, the results are fatal to the peace and prosperity of the country

it seeks to dominate, and exceedingly harmful, though in a degree less easy to gauge, to itself. So it was with Ireland; and yet it cannot fail to strike any student of history what an extraordinary resilience she showed again and again under any transient phase of wise and tolerant government.

Such a phase occurred in the latter part of the reign of Henry VIII., when, after the defeat of the Geraldines, for the first time some semblance of royal authority was established over the whole realm; and when an effort was also made, not through theft or violence, but by conciliatory statecraft, to replace the native Brehon system of law and land tenure by English institutions, and to anglicize the Irish chiefs. The process stopped abruptly and for ever with the accession of Mary, to be replaced by the forcible confiscation of Irish land, and the "planting" of English and Scotch settlers.

Ireland, for four hundred years the only British Colony, is now drawn into the mighty stream of British colonial expansion. Adventurous and ambitious Englishmen began to regard her fertile acres as Raleigh regarded America, and, in point of time, the systematic and State-aided colonization of Ireland is approximately contemporaneous with that of America. It is true that until the first years of the sixteenth century no permanent British settlement had been made in America, while in Ireland the plantation of King's and Queen's Counties was begun as early as 1556, and under Elizabeth further vast confiscations were carried out in Munster within the same century. But from the reign of James I. onward, the two processes advance *pari passu*. Virginia, first founded by Raleigh in 1585, is firmly settled in 1607, just before the confiscation of Ulster and its plantation by 30,000 Scots; and in 1620, just after that huge measure of expropriation, the Pilgrim Fathers landed in New Plymouth. Puritan Massachusetts — with its offshoots, Connecticut, New Haven and Rhode Island—as well as Catholic Maryland, were formally established between 1629 and 1638, and Maine in 1639, at a period when the politically inspired proscription of the Catholic religion, succeeding the robbery of the soil, was goading the unhappy Irish to the rebellion of 1641. While that rebellion, with its fierce excesses and pitiless reprisals, was convulsing

Ireland, the united Colonies of New England banded themselves together for mutual defence.

A few years later Cromwell, aiming, through massacre and rapine, at the extermination of the Irish race, with the savage watchword "To Hell or Connaught," planted Ulster, Munster, and Leinster with men of the same stock, stamp, and ideas as the colonists of New England, and in the first years of the Restoration Charles II. confirmed these confiscations, at the same time that he granted Carolina to Lord Clarendon, New Netherlands to the Duke of York, and New Jersey to Lord Berkeley, and issued fresh Charters for Connecticut and Maryland. Finally, Quaker Penn founded Pennsylvania in 1682, and in 1691 William III., after the hopeless Jacobite insurrections in favour of the last of the Stuarts, wrung the last million acres of good Irish land from the old Catholic proprietors, planted them with Protestant Englishmen, and completed the colonization of Ireland. Forty years passed (1733) before Georgia, the last of the "Old Thirteen Colonies," was planted, as Ulster had been planted, mainly by Scotch Presbyterians.

During the greater part of this period we must remember that conquered Ireland herself was contributing to the colonization of America. Every successive act of spoliation drove Catholic Irishmen across the Atlantic as well as into Europe, and gave every Colony an infusion of Irish blood. Until the beginning of the eighteenth century this class of emigration was for the most part involuntary. Cromwell, for example, shipped off thousands of families indiscriminately to the West Indies and America for sale, as "servants" to the colonists. The only organized and voluntary expedition in which Irish Catholics took part was that to Maryland under Lord Baltimore. The distinction in course of time became immaterial. In the free American air English, Scotch, and Irish became one people, with a common political and social tradition.

It is interesting, and for a proper understanding of the Irish question, indispensable, briefly to contrast the characteristics and progress of the American and Irish settlements, and in doing so to observe the profound effects of geographical position and political institutions on human character. I shall afterwards ask the reader to include in the comparison

the later British Colonies formed in Canada and South Africa by conquest, and in Australia by peaceful settlement.

Let us note, first, that both in America and Ireland the Colonies were bi-racial, with this all-important distinction, that in America the native race was coloured, savage, heathen, nomadic, incapable of fusion with the whites, and, in relation to the almost illimitable territory colonized, not numerous; while in Ireland the native race was white, civilized, Christian, numerous, and confined within the limits of a small island to which it was passionately attached by treasured national traditions, and whose soil it cultivated under an ancient and revered system of tribal tenure. The parallel, then, in this respect, is slight, and becomes insignificant, except in regard to the similarity of the mental attitude of the colonists towards Indians and Irish respectively. In natural humanity the colonists of Ireland and the colonists of America differed in no appreciable degree. They were the same men, with the same inherent virtues and defects, acting according to the pressure of environment. Danger, in proportionate degree, made both classes brutal and perfidious; but in America, though there were moments of sharp crisis, as in 1675 on the borders of Massachusetts, the degree was comparatively small, and through the defeat and extrusion of the Indians diminished steadily. In Ireland, because complete expulsion and extermination were impossible, the degree was originally great, and, long after it had actually disappeared, haunted the imagination and distorted the policy of the invading nation.

In America there was no land question. Freeholds were plentiful for the meanest settlers and the title was sound and indisputable. In the "proprietary" Colonies, it is true, vast tracts of country were originally vested by royal grants in a single nobleman or a group of capitalists, just as vast estates were granted in Ireland to peers, London companies, and syndicates of "undertakers"; but by the nature of things, the extent of territory, its distance, and the absence of a white subject race, no agrarian harm resulted in America, and a healthy system of tenure, almost exclusively freehold, was naturally evolved.

In Ireland the land question was the whole question from the first. If the natives had been exterminated, or their remnants

wholly confined, as Cromwell planned, to the barren lands of Connaught, all might have been well for the conquerors. Or if Ireland had been, in Mr. Chamberlain's phrase, a thousand miles away, all might have come right under the compulsion of circumstances and the healing influence of time. That the Celtic race still possessed its strong powers of assimilation was shown by the almost complete denationalization and absorption of a large number of Cromwell's soldier-colonists in the south and south-east under what Mr. Lecky calls the "invincible Catholicism" of the Irish women. But the Irish were not only numerous, but fatally near the seat of Empire. The natives—Irish or Anglo-Irish—were still more than twice as numerous as the colonists; they were scattered over the whole country, barren or fertile, and that country was within a day's sail of England. The titles of the colonists to the land rested on sheer violence, sometimes aggravated by the grossest meanness and treachery, and these titles were not recognized by the plundered race. Even with their gradual recognition it would have been difficult to introduce the English system of tenure, which was radically different and repellent to the Irish mind. The bare idea of one man absolutely owning land and transmitting it entire to his heirs was incomprehensible to them.

The solution for all these difficulties was unfortunately only too easy and obvious. England was near, strong, and thoroughly imbued with the policy of governing Ireland on the principle of antagonizing the races within her. It was possible, therefore, by English help, under laws made in England, to constitute the Irish outlaws from the land, labourers on it, no doubt, that was an economic necessity, precarious occupiers of plots just sufficient to support life; but, in the eyes of the law, serfs. The planters of the southern American Colonies imported African negroes for the same purpose, with irretrievably mischievous results to their own descendants. Nor is it an exaggeration to compare the use made of the Irish for a certain period to the use made of these negroes, for great numbers of the Irish were actually exported as slaves to Barbadoes, Jamaica, and even to Carolina.

The outlawed multitude in Ireland were deprived, not only of all rights to the land, but, as a corollary, of all social

privileges whatsoever. "The law," said an Irish Lord Chancellor, "does not suppose any such person to exist as an Irish Roman Catholic." The instrument of ostracism was the famous Penal Code, begun in William's reign in direct and immediate defiance of a solemn pledge given in the Treaty of Limerick, guaranteeing liberty of conscience to the Catholics, and perfected in the reign of Anne. This Code, ostensibly framed to extirpate Catholicism, was primarily designed to confirm and perpetuate the gigantic dislocation of property caused by the transference of Irish and Anglo-Irish land into English and Scotch ownership. Since the rightful owners were Catholic, and the wrongful owners Protestants, the laws against the Catholic religion—a religion feared everywhere by Englishmen at this period—were the simplest means of legalizing and buttressing the new régime. I shall not linger over the details of the Code. Burke's description of it remains classic and unquestioned: "A complete system full of coherence and consistency, well digested and composed in all its parts . . . a machine of wise and elaborate contrivance; and as well fitted for the oppression, impoverishment and degradation of a people, and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man."

The aim was to reduce the Catholics to poverty, ignorance, and impotence, and the aim was successful. Of the laws against priests, worship, education, and of the bars to commerce and the professions, I need not speak. In the matter of property, the fundamental enactments concerned the land, namely, that no Catholic could own land, or lease it for more than thirty years, and even then on conditions which made profitable tenure practically impossible. This law created and sustained the serfdom I have described, and is the direct cause of the modern land problem. It remained unaltered in the smallest respect for seventy years, that is, until 1761, when a Catholic was permitted to lease for sixty-one years as much as fifty acres of bog not less than four feet deep. Long before this the distribution of landed property and the system of land tenure had become stereotyped.

This system of tenure was one of the worst that ever existed on the face of the globe. It has been matched in portions of

India, but nowhere else in this Empire save in little Prince Edward Island, where we shall meet with it again. In Ireland, where it assumed its worst form, violent conquest by a neighbouring power not only made it politic to outlaw the old owners, but precluded the introduction of the traditional English tenures, even into the relations between the British superior landlord and the British occupying colonist. The bulk of the confiscated Irish land, as I have mentioned, had been granted in fee to English noblemen, gentlemen, or speculators, who planted it with middle or lower-class tenants. A number of Cromwell's private soldiers settled in Leinster and Munster, and, holding small farms in fee, formed an exception to this rule. But the greater part of Ireland, in ownership, as distinguished from occupation, consisted of big estates, and a large number of the English owners, being only a day's sail from England, became, by natural instinct, habitual absentees. Others lived in Dublin and neglected their estates. Absenteeism, non-existent in America, assumed in Ireland the proportions of an enormous economic evil. In England the landlord was, and remains, a capitalist, providing a house and a fully equipped farm to the tenant. In Ireland he was a rent receiver pure and simple, unconnected with the occupier by any healthy bond, moral or economic. The rent-receiving absentee involved a resident middleman, who contracted to pay a stipulated rent to the absentee, and had to extract that rent, plus a profit for himself, out of the occupiers, whether Catholic serfs, Protestant tenants, or both, and usually did so by subdivision of holdings and disproportionate elevation of rents. Over three of the four Provinces of Ireland—for a small part of Ulster was differently situated—the middleman himself frequently became an absentee and farmed his agency to another middleman, who by further subdivisions and extortions made an additional private profit, and who, in his turn, would create a subsidiary agency, until the land in many cases was "subset six deep."* The ultimate occupier and sole creator of agricultural wealth lived perpetually on the verge of starvation, beggared not only by extortionate rents, partly worked out in virtually forced labour, but by extortionate tithes paid to the alien Anglican Church,

* J. Fisher, "End of the Irish Parliament" cited.

in addition to the scanty dues willingly contributed to the hunted priests of his own prescribed religion. His resident upper class—though we must allow for many honourable exceptions—was the Squirearchy, satirized by Arthur Young as petty despots with the vices of despots; idle, tyrannical, profligate, boorish, fit founders of the worst social system the modern civilized world has ever known. The slave-owning planters of Carolina were by no means devoid of similar faults, which are the invariable products of arbitrary control over human beings, but there the physiological gulf between the dominant and subject race was too broad and deep to permit of substantial deterioration in the former. In Ireland the ethnological difference was small; the artificial cleavage and deterioration great in inverse proportion.

For the greater part of a century, in every part of Ireland, tenancies of land, whether held by Catholic or Protestant, by lease or at will, were alike in certain fundamental characteristics. The tenant had neither security of tenure nor right to the value of the improvements which were invariably made by his own capital and labour. Even a leaseholder, when his lease expired, had no prescriptive claim to renewal, but must take his chance at a rent-auction with strangers, the farm going to the highest bidder. If he lost, he was homeless and penniless, while the fruits of his labour and capital passed into other hands. The miserable Catholic cottier was, of course, in a similar case, though relatively his hardship was less, since his condition, being the lowest possible in all circumstances, could scarcely be worse. Obviously, in a case where the landlord was neither the capitalist nor the protector and friend of the tenant, the possession of those elementary rights, security of tenure and compensation for improvements, was the condition precedent to the growth of a sound agrarian system. Their denial was incompatible with social order. Yet they were denied, and for one hundred and eighty years an intermittent struggle to obtain them by violence and criminal conspiracy degraded and retarded Ireland.

But a marked distinction grew up between a small portion of Ireland and the rest. James I.'s plantation of Ulster had been far more drastic and thorough than any operation of the kind before or since. Later immigrants had flowed in, and

at the beginning of the eighteenth century in the north-eastern portion—the predominantly Protestant Ulster of to-day—Scotch Protestant tenants, mainly Presbyterian, were thickly settled, and formed an industrious community of strong and tenacious temper. In the original leases granted by the concessionaires in the seventeenth century, fixity of tenure was implied, and a nominal rent levied, somewhat after the American model; but under the example of other Provinces, and the economic pressure exerted by the growth in the Catholic population, these privileges seem to have been almost wholly obliterated. The absentee landlords, reckless of social welfare, exacted the rack or competitive rent. As in the south and west, tithes to the Established Church and oppressive and corrupt local taxation for roads and other purposes, aggravated the discontent. For agrarian reasons only—and there were others which I shall mention—many thousands of Protestants left Ireland for ever. It required a long period of outrage and conspiracy, attaining in 1770 the proportions of a small civil war, and at the end of the century, by the anti-Catholic passions it inspired, wrecking new hopes of racial unity, to establish what came to be known as the Ulster Custom of Tenant Right. If Protestant freemen had to resort to these demoralizing methods to obtain, and then only after irreparable damage to Ireland, the first condition of social stability, a tolerable land system, the effect of the agrarian system on Catholic Ireland, prostrate under the Penal Code, may be easily imagined.

In addition to excessive subdivision of holdings and excessive tithes, rents, and local burdens, another agrarian evil, unknown in the vast and thinly populated tracts of America intensified the misery of the Irish peasantry of the eighteenth century. This was the conversion of the best land from tillage into pasture, with the resulting clearances and migrations, and the ultimate congestion on the worst land. Lecky quotes a contemporary pamphlet, which speaks of the "best arable land in the kingdom in immense tracts wantonly enjoyed by the cattle of a few individuals, and at the same time the junctions of our highways and streets crowded with shoals of mendicant fellow-creatures." This change from arable to pasture has been a common and often in the long run

a healthy, economic tendency in many countries, England and Scotland included, though temporarily a fruitful source of misery. Under normal conditions the immediate evils right themselves in course of time. Nothing was normal in Ireland, and any breath of economic change in the outside world reacted cruelly on the wretched subject class, which produced, though it did not enjoy, the greater part of the wealth of the kingdom. Under an accumulation of hardships famine was periodic, and from 1760, when the first Whiteboys appeared, disorder in one degree or another was chronic. The motive, it is universally agreed now, was material, not religious. The Whiteboys of the south and west were the counterparts of the Protestant Steelboys and Oakboys of the north, and even in the south and west there were Protestant as well as Catholic Whiteboys. Lord Charlemont, the Protestant Irish statesman, denying this now well-ascertained fact, was nevertheless explicit enough about the cause of the disorders. "The real causes," he said, "were . . . exorbitant rents, low wages, want of employment, farms of enormous extent let by their rapacious and indolent proprietors to monopolizing landjobbers, by whom small portions of them were again let and relet to intermediate oppressors, and by them subdivided for five times their value among the wretched starvers upon potatoes and water; taxes yearly increasing, and still more tithes, which the Catholic, without any possible benefit, unwillingly pays in addition to his priest's money . . . misery, oppression, and famine."*

Agrarian crime, operating through an endless succession of secret societies, Whiteboys and Rightboys in the eighteenth century; Terry Alts, Rockites, Caravats, Ribbonmen, Moonlighters, in the nineteenth, was rampant for nearly two centuries, long surviving the repeal of the Penal Code; and its last echoes may be heard at this moment. In the absence of all wholesome law, violence and terror were the only means of self-defence. The remedy applied was retaliatory violence under forms of law. Nothing whatsoever was done to remove the essential vices of agrarian tenure during the eighteenth century; nothing tentative even during the nineteenth century until the year 1870; nothing effective and permanent until

* MS. Autobiography cited by Lecky, vol. ii., p. 85.

1881, when, as far as humanly possible, it was sought to give direct statutory expression to the Ulster Custom, with the addition of the principle of a fair judicial rent. Englishmen should realize this when they discuss Irish character. It is a very old story, but nine out of ten Englishmen, when talking vaguely of Irish discontent, disloyalty, and turbulence, forget, or have never learnt, this and other fundamental facts. As for the Irish landlords, we must remember that the founders of that class differed in no respect from other English landlords, or from the aristocratic American concessionaires, just as their compatriot tenants and lessees were identical in stock with the American colonists. Their descendants and successors have been the victims of circumstance. Each generation has inherited the vested interests of the last, and it is not in human nature to look far behind vested interests into the wrongful acts which created them and the bad laws that perpetuate them. Doubly victimized have been those resident landlords who at all periods, from the earliest era of colonization, in spite of temptation and bad examples around them, have acted towards their tenantry as humane and patriotic citizens. A bad agrarian system infects the whole body politic. Good landlords and contented tenants inevitably suffered with the rest.

In commerce and industry, as in land, the Irish Colony stood at a heavy disadvantage by comparison with America. From the Restoration onward, English statesmen took the same view of both dependencies, namely, that their commercial interests should be wholly subordinate to those of the Mother Country, and the same Department, the Board of Trade and Plantations, made the fiscal regulations for Ireland and America. The old idea that for trade purposes Ireland counted as an integral part of the United Kingdom did not last longer than 1663. But it was not wholly abrogated by the great Navigation Act of that year, which, though it placed harsh restrictions on the Irish cattle trade with England, did not expressly exclude Irish ships from the monopoly of the colonial trade conferred upon English vessels, so that for seven years longer a tolerably prosperous business was carried on direct between Ireland and the American Colonies.* An

* The best modern account of the commercial relations of Great Britain and Ireland is Miss Murray's "Commercial Relations between England and Ireland."

Act of 1670, prohibiting, with a few negligible exceptions, all direct imports from the Colonies into Ireland, gave a heavy check to this business, arrested the growth of Irish shipping, and, in conjunction with subsequent measures of navigational, fiscal, and industrial repression, converted Ireland for a century into a kind of trade helot. She was treated either as a foreign country, as a Colony, or as something inferior to either, according to the dictation of English interests, while possessing neither the commercial independence of a foreign country nor the natural and indefeasible immunity which distance, climate, variety of soil, and unlimited room for expansion continued to confer, in spite of all coercive restraints, upon the American Colonies. Though the British trade monopoly was certainly a contributory cause in promoting the American revolution, it was never, any more than the British claim to tax, a severe practical grievance. The prohibition of the export of manufactures, and the compulsory reciprocal exchange of colonial natural products for British manufactured goods and the chartered merchandise of the Orient, were not very onerous restrictions for young communities settled in virgin soil; nor, with a few exceptions like raw wool, whose export was forbidden, were the American natural products of a kind which could compete with those of the Mother Country. The real damage inflicted upon the Colonies by the mercantile system—one which its modern defenders are apt to forget—was moral. To practise and condone smuggling was habitual in America, and some of the English Governors set the worst example of all by making a profit out of connivance at the illicit traffic. "Graft" was their creation. The moral mischief done was permanent, and it resembled in a lesser degree the mischief done in Ireland both by bad agrarian and bad commercial laws. Ireland, owing to her proximity, was in the unhappy position of being a competitor in the great staples of trade, both raw and manufactured, and she was near enough and weak enough to render it easy to stamp out this competition so far as it was thought to be inimical to English interests. The cattle and provision trade with England had been damaged as far back as 1663, and was killed in 1666, though the export of provisions to foreign countries survived, and became almost the sole source of Irish trade during the eighteenth century. The policy with

raw wool was to admit just as much as would satisfy the English weavers without arousing the determined opposition of the competitive English graziers. The Irish manufactured wool trade, a flourishing business, for which Irishmen showed exceptionally high aptitude, and which in the normal course of things would probably have become her staple industry, was destroyed altogether, avowedly in the interests of the English staple industry, by prohibitory export duties imposed in 1698. Subsidiary industries—cotton, glass, brewing, sugar-refining, sail-cloth, hempen rope, and salt—were successively strangled. One manufacture alone, that of linen, centred in the Protestant North, was spared, and for a short period was even encouraged, not because it was a Protestant industry, but because at first it aroused no trade jealousy in England, and was in some respects serviceable to her. In 1708, when it was proposed to extend the industry to Leinster, considerations of foreign trade provoked an outburst of hostility, and harassing restrictions were imposed on this industry also. On the whole, however, it suffered less than the rest, and lived to become one of the two important manufacturing industries of present-day Ireland.

English policy was as fatuous as it was cruel. Numbers of the Irish manufacturers and artisans, both Catholic and Protestant, emigrated to Europe, and devoted their skill and energy to strengthening industries which competed with those of England. Within Ireland, since industry and commerce formed the one outlet left by the Penal Code for Catholic brains and capital—though even here the Code imposed harassing disabilities—the commercial restrictions completed the ruin of the proscribed sect. But at this period the main source of weakness to Ireland, of strength to America, and of danger to the Empire as a whole, was the Protestant emigration. Lecky estimates that 12,000 Protestant families in Dublin and 30,000 in the rest of the country were ruined by the suppression of the wool trade. The great majority of these Protestants were Presbyterians belonging to North-East Ulster, and descendants of the men who had defended that Province with such desperate gallantry against the Irish insurgents under the deposed James II. Political power in Ireland was wielded in the interests of a small territorial and

Episcopalian aristocracy, largely absentee. The Dissenters belonged to the middle and lower classes, and were for the most part tenants or artisans. Creed and caste antipathies were combined against them. Their value as citizens was ignored. Though their right to worship was legally recognized by an Act of 1719, they remained from 1704 to 1778 subject to the Test, were incapacitated for all public employment, and were forbidden to open schools. Under an accumulation of agrarian, economic, and religious disabilities, they naturally left Ireland to find freedom in America. And it is beyond question that they turned the scale against the British arms in the great War of Independence.

CHAPTER II

REVOLUTION IN AMERICA AND IN IRELAND

In the Old World and in the New, therefore, two societies, composed of human beings similar in all essential respects, were growing up under the protection of the British Crown; the one servile, the other free; the one stagnant where it was not retrograde, the other prosperous, progressive, and, by the magnetism of its own freedom, progress, and prosperity, steadily draining its Irish fellow of talent, energy, and industrial skill.

What was the ultimate cause of this glaring divergency? Religion, as a spiritual force, was not the root cause. The American Colonies, with three exceptions—the earliest Virginia, the latest Georgia, and the Catholic community of Maryland—were formed by Dissenters,* exiles themselves from persecution, but not necessarily forbearing to others, and, in the case of the New England Puritans, bitterly intolerant. It is interesting to observe that the Quakers and the Catholics, men standing at the opposite poles of theology, set the highest example of tolerance. Quaker Pennsylvania enforced absolute liberty of conscience, and Quakers in all the Provinces worked for religious harmony and freedom. Catholic Maryland, as long as its government remained in Catholic hands, and under the guidance of the wise and liberal Proprietary, Lord Baltimore, pursued the same policy, and attracted members of sects persecuted in New England.† The parallel with Ireland is signifi-

* The origin of North Carolina is, perhaps, debatable. Nearly all historians have represented it as settled by Dissenting refugees; but Mr. S. B. Weeks, a Carolina historian, has written an essay to prove that this was not the case ("Religious Development in the Province of North Carolina," Baltimore, 1892). The Charter contained a clause for liberty of conscience on the instructive ground that, "by reason of the remote distance of those places, toleration would be no breach of the unity and conformity established in this realm."

† "Church and State in Maryland," George Petrie. Lord Baltimore, the Catholic founder and Proprietary, enforced complete tolerance from the first

cant. At the end of the seventeenth century, when a quarrel was raging between the Crown and Massachusetts over the persecution of Quakers in that Colony, and for a further period in the eighteenth century, Quaker missionaries and settlers were conducting a campaign of revivalism in Ireland with no molestation from the Catholics, though with intermittent obstruction from magistrates and Protestant clergy. Wesleyans received the same sympathetic treatment.* The tolerance shown by Irish Catholics, in spite of terrible provocation, is acknowledged by all reputable historians. Nor was Protestant intolerance, whether Anglican or Nonconformist, of a deeper dogmatic shade than anywhere else in the King's dominions. But in Ireland it was political, economic, and social, while in America it was purely theological, and, moreover, purely American. The Episcopalian ascendancy in Ireland represented foreign interests, and therefore struck against Dissent as well as against Popery, and estranged both. The root of the American trouble, leading to the separation of the Colonies, was political and wholly unconnected with religion. The root of the Irish trouble, adventitiously connected with religion, lay, and lies still, in the Irish political system. Other evils were transient and curable; this was permanent. The Penal Code was eventually relaxed; the disabilities of the Dissenters were eventually removed; the commercial servitude was abolished, but the political system *in essentials* has never been changed. Let us see what it was and how it worked at the period we are considering, again by comparison with America.

Though the word "plantation" was applied alike to the colonization of Ireland and America, Ireland was never called a Colony, but a Kingdom. The distinction was not scientific, and operated, like all other distinctions, to the injury of Ireland. Neither country was represented in the British Parliament. In both countries the representatives of the Crown were appointed by England, and controlled, in America almost completely, in Ireland absolutely, the Executive and

(1684), and secured the passage of an Act in 1649 giving legal force to the policy, with heavy penalties against interference with any sect. In 1654 Puritans gained control of the Assembly, and passed an Act against Popery. A counter-revolution repealed this Act, but finally in 1689 the Church of England was established by law.

* Lecky, "History of Ireland in the Eighteenth Century," vol. i., pp. 408-410.

Judges. In Ireland the Viceroy was always an Englishman; in America, the Governors of a few of the non-proprietary Colonies were colonials, but most Governors were English, and some of the proprietary class were absentees.* In the case both of Ireland and America the English Government claimed a superior right of control over legislation and taxation, and in both cases it was found necessary to remove all doubts as to this right by passing Declaratory Acts, for Ireland in 1719, for America in 1766. The great difference lay in the Legislature, and was the result of different degrees of remoteness from the seat of power. America was profoundly democratic from the beginning, outpacing the Mother Country by fully two centuries. There was no aristocracy, and in most Colonies little distinction between upper and middle classes. The popular Assemblies, elected on the broadest possible franchise, were truly representative. Some of the Legislative Councils, or Upper Chambers, were elective also. Most of them, although nominated, and therefore inclined to be hostile to the popular body, were nevertheless of identical social composition; so that there was often an official, but never a caste, ascendancy. From very early times there was occasional friction between the Home Government, represented by the Governors, and the colonial democracies, over such matters as taxation, official salaries, quartering of troops, and navigation laws. Writs of *quo warranto* were issued against Connecticut, Carolina, New York, and Maryland, in the latter part of the seventeenth century, and the Charter of Massachusetts, after long wrangles with the Crown, was forfeited in 1684, and not restored until 1692, after a period of despotic government under Sir Edmund Andros. But for a century or more the system worked well enough upon the whole. Under the powerful lever of the representative Assembly, neutralized by the ever-present need for military protection from the Mother Country, and with the wholesome check to undue coercion set by the broad Atlantic,

* Until 1692 Massachusetts, Rhode Island, and Connecticut, elected their own Governors. Massachusetts continued to have Colonial Governors, and sometimes New Jersey and New Hampshire. Proprietary Governments were gradually abolished and converted into "Royal" Governments like the rest. At the period of the Declaration of Independence two only were left—Pennsylvania and Maryland (see "Origin and Growth of the English Colonies," H. E. Egerton).

civic freedom grew and flourished to a degree unknown in any other part of the civilized world.

In Ireland civic freedom was unknown. There was no popular Assembly. A wealthy aristocracy of English extraction and of Anglican faith, partly resident, partly absentee, and wholly subservient to the English Government, constituted the Upper House of that strange institution known as Parliament, and to a great extent nominated and controlled the Lower House through means frankly corrupt. Representation was almost nominal; close pocket-boroughs predominated, and seats were bought and sold in the open market. In the year 1790 more than a third of the Members of the House of Commons were placemen, 216 Members out of 300 were elected by boroughs and manors, and, of these, 176 were elected by individual patrons. Fifty-three of these patrons, nominating 123 Members, sat as Peers in the Upper House. Cash, places, and peerages, were the usual considerations paid for maintaining a Government majority. The Catholics, from three-quarters to five-sixths of the population, had neither votes nor members; the Dissenters scarcely any members and an almost powerless vote. The Irish Legislature, by an Act as old as 1495, the famous Poynings' Law, could neither initiate nor pass a measure without the consent of the English Privy Council, and the Declaratory Act of 1719 confirmed the power of making English Acts applicable to Ireland. Government in England itself was, no doubt, unrepresentative and corrupt at that period, and the people paid the penalty in full; but it was a national government, under the ægis of the national faith, and resting, however remotely, on the ultimate sanction of the people, just as American opinion, more democratically ascertained, continued to control the major part of American affairs. In Ireland the Government was systematically anti-Irish. There was no career for Irishmen in Ireland. Both Catholics and Dissenters were excluded from all civil and military offices; the highest posts were generally given to Englishmen born and bred, and the country, Episcopalian only to a fractional extent, was ruled by a narrow Episcopalian oligarchy of wealthy landowners and prelates, who bartered Irish freedom for the place and power of their own families and dependents. The conditions of this sordid exchange were the ground of the

first important Anglo-Irish political struggle in the eighteenth century, when the English Viceroy, Townshend, succeeded in 1770-71, at the cost of half a million, in transferring the bribing power, and therefore the controlling power, from the "Undertakers," as they were known, direct to the Crown.

There seems to have been no continuous English policy beyond that of making Ireland completely subservient to English interests and purposes, and often to purposes of the most humiliating and degrading kind. The Irish Pension List has earned immortal infamy. Jobs too scandalous to pass muster in England were systematically foisted upon the Irish establishment. Royal mistresses, a host of needy Germans, a Danish Queen banished for adultery, lived in England or abroad upon incomes drawn from the impoverished Irish Exchequer. Nor was it only a question of pensions. Quantities of valuable sinecure offices were habitually given to Englishmen who never came near the shores of Ireland. In short, the English policy towards Ireland was similar to Spain's policy towards her South American Colonies, minus the grosser forms of physical cruelty and oppression. Yet Ireland, like the American Colonies until the verge of the revolutionary struggle, was consistently loyal to the Crown both in peace and war. The loyalty of Catholic Ireland, poverty-stricken, inarticulate, almost leaderless, and shamefully misgoverned, does not, from the human standpoint, appear worthy of admiration, but it was a fact. The few Catholic noblemen outdid the Protestants in expressions of devotion; the Whiteboy risings were as little disloyal as religious. Not a hand stirred for James or his heirs when Jacobite plots and risings were causing grave public danger in England and Scotland. Catholic Lord Trimleston offered exclusively Catholic regiments with Catholic officers to George III. for foreign service in 1762, though they were vetoed by what his Viceroy Halifax called the "ill-bred bigotry" of the Irish Parliament. Nor was it till thirty years after that date that Protestant discontent, under intolerable provocation, assumed an anti-dynastic and Republican form. To compare the Imperial spirit displayed by America and Ireland in their views and action is difficult, partly because the various American Colonies differed widely, partly because there existed in Ireland no organ of government

which could express popular feeling. Neither country, of course, paid any cash contribution to Imperial expenses, though both could fairly claim that the English monopoly of trade imposed an indirect tribute of indefinite size, while Ireland, in pensions, rents to absentees, and sinecure appointments, was drained of many millions more. American patronage was an element of substantial value to England, but it was not on the Irish scale. America on the whole, perhaps, showed less patriotic feeling than Ireland. With full allowance for the lack of sympathy and understanding shown by the British regulars to the American volunteers in their co-operation in the French wars, it can scarcely be denied that the colonists, together with much heroism and public spirit, showed occasional slackness and parsimony in resisting the penetration of a foreign Power which threatened to hem in their settlements from the St. Lawrence to the mouth of the Mississippi. Ireland during the Seven Years' War, and until the Peace of Paris in 1763, maintained a war establishment of 24,000 troops. She maintained a peace establishment of 12,000 troops, and from 1767 onwards of 15,000 troops. There never seems to have been a whisper of protest from the Catholic population against these measures, nor, except in the matter of the American War, to which we shall come presently, from the Protestants. It may be added that, after 1767, Catholics in considerable numbers were surreptitiously enlisted in the ranks, in spite of the Penal Code, and from then until the present day have fought for the Flag as staunchly as any other class of the King's subjects.

It never occurred to responsible English statesmen that here was ground, firm as a rock in America, and firm enough in Ireland, on which, if only they obeyed the instincts and maxims upon which England herself had risen to greatness, they might build a mighty and durable Imperial structure. That loyalty, to be genuine and lasting, must spring from liberty was a truth they did not appreciate, and to this truth, strangely enough, in spite of the lessons of nearly a century and a half, a numerous school of English statesmen is still blind. It was no doubt a fatality that the smouldering discontent both of America and Ireland burst into flame in the reign of a monarch who endeavoured, even within the limits of Britain,

to regain the arbitrary power which had cost their throne to the Stuarts; it was an additional fatality that the standard of public morals among the class through which he ruled during the period of crisis had fallen to lower depths than ever before or since. Even incorruptible men were either weak and selfish or subject to some cardinal defect of temper or intellect which, at times of crisis, neutralized their genius. Chatham and Burke were the noblest figures of the time, yet Chatham, in his highest mood a nobler and truer champion of American liberty than Burke, was Minister—nominally, at any rate—when the Revenue Duties imposed upon the American Colonies in 1867 destroyed in a moment the reconciliation brought about by the repeal of the Stamp Act. Burke was surely false to his political philosophy in founding his American argument on expedience rather than on principle. Chatham was a thorough democrat, trusting the people, poor or rich, rude or cultured, common or noble, American or British. Burke, at a time when the reflection of the genuine opinion of the nation in a pure and free Parliament might have saved us, as his splendid orations could not save us, from a disastrous war, scouted Parliamentary reform, and took his unconscious share in playing the game of the most narrow coercionist Tories like Charles Townshend and George III.

Of the interminable chain of fatalities which sicken the mind in following every phase of Ireland's history, Burke's rigid temperamental conservatism always seems to me the most fatal and the most melancholy. It is not that he, the greatest intellect Ireland has ever produced, made his career in England. By the time one reaches the period in which he lived one gets used to the expatriation of Irish brains and vigour, not only to England and America, but to Spain, France, Russia, and Germany. It is that his intellect was so constituted as in the long run to be useless, and on some occasions absolutely harmful, to Ireland, sincerely as he loved her, and often as he supported measures for her temporary benefit, and rejoiced in their temporary success. An incident occurred in 1773 which tested his worth to Ireland, and incidentally threw into strong light English views of Ireland and America at the period immediately preceding the revolutionary epoch. The Irish Government, not with any high social aim, but in despera-

tion at the growing Treasury deficit, proposed a tax upon the rents of absentee landlords, and the fate of the measure, like all Irish measures, had to be decided in the first instance in England. North's Tory Ministry actually consented to it. Chatham, far from the active world, and too broken in health to influence policy either way, wrote a powerful plea for it; but a strong group of Whig magnates, themselves wealthy absentee proprietors of Irish land, signed a vehement remonstrance which carried the day against it, and the author of this remonstrance, of all men in the world, was the Irishman Burke, who, owning not an acre of Irish land himself, devoted all his transcendent talents, all the subtlety and variety of his reasoning, to clothing the selfish greed of others with the garb of an enlightened patriotism.

He was wrong fundamentally about Ireland, and only superficially right about America. In the terms of this celebrated remonstrance, as illuminated by his own private correspondence, his consistency is revealed. By the very nature of things, he maintained, the central Parliament of a great heterogeneous Empire must exercise a supreme superintending power and regulate the polity and economy of the several parts as they relate to one another, a principle which, of course, would have justified the taxation of America, and which, save on the ground of expediency alone, he would certainly have applied to America. The proximity of Ireland helped his logic, and surely logic was never distorted to stranger ends. The "ordinary residence" of the threatened Irish landowners was in England, "to which country they were attached, not only by the ties of birth and early habit, but also by those of indisputable public duties," as though these facts did not constitute in themselves a damning satire on the system of Irish Government. They were to be "fined" for living in England, as though that fine were not the most just and politic which could be conceived, if it went even an inch towards establishing the principle that Ireland's affairs were the business of responsible resident Irishmen, or towards the further principle, enshrined in Drummond's celebrated phrase of seventy years later in regard to the agrarian system which these Whig noblemen shared in founding, that "property has its duties as well as its rights." Finally, argued Burke, heaping irony upon

irony, the tax would lead directly to the "separation" of the two Kingdoms both in interest and affection. The Colonies would follow the Irish example, and thus a principle of disunion and separation would pervade the whole Empire; the bonds of common interest, knowledge, and sympathy which now knit it together would everywhere be loosened, and a narrow, insulated, local feeling and policy would be proportionately increased.* Such was Burke's Imperialism, as evoked by an Irish measure which struck at the root of a frightful social evil and of a vicious political system. But the idea expressed by Burke—the spirit of his whole argument—went far beyond this particular absentee tax or any similar tax proposed, as happened in one instance, by a Colony. It was the superbly grandiose expression, and all the more insidiously seductive in that it was so grandiose, of a principle which all thinking men now know, or ought to know, is the negation of Empire, which lost us America, which came within an ace of losing us Canada, which might well have lost us South Africa, and which has in very fact lost us, though not yet irrevocably, the "affection," to use Burke's word, of Ireland. We may call local patriotism "narrow and insulated," if we please, but we recognize now, in every case save that of Ireland, that it is the only foundation for, and the only stimulant to, Imperial patriotism.

Chatham, an Englishman of the English, was nevertheless a better Irishman than Burke, and therefore a better Imperialist. "The tax," he wrote, "was founded on strong Irish policy. England, it is evident, profits by draining Ireland of the vast incomes spent here from that country. But I could not, as a Peer of England, advise the King, on principles of indirect, accidental English policy, to reject a tax on absentees sent over here as the genuine desire of the Commons of Ireland acting in their proper and peculiar sphere, and exercising their inherent exclusive right by raising supplies in the manner they judge best." Chatham, in short, applied precisely the same argument to Ireland as, in his memorable speeches of the next year (1774), he applied to America, and in both cases he was right. The only mistake he made was in his estimate of that

* Lecky, "History of Ireland in the Eighteenth Century," vol. ii., pp. 124-126.

travesty of a representative assembly, the Irish House of Commons, which, at the secret instigation of the Viceroy, though without actual coercion, eventually threw out a tax so distasteful to its English patrons. But the argument for financial independence remained unassailable, and eventually the Irish Parliament itself summoned up the courage to adopt and act upon it.

It may seem almost impossible that in a body so corrupt and exclusive a national sentiment should have arisen. But every elective assembly, however badly constituted, contains the seeds of its own regeneration, and, under even moderately favourable circumstances, moves irresistibly towards freedom. The pity was that circumstances, save for one brief and invigorating interlude, were persistently unfavourable to Ireland. The task was enormous, demanding infinitely more self-sacrifice than even the ablest and most prescient of her Parliamentarians realized. Until it was too late, in fact, they never awoke to the true nature of the task, dazzled by illusory victories. Rotten to the core as the Irish Parliament was, they sought, strengthened by popular influences, to make it the instrument for freeing Ireland from a paralyzing servitude; and up to a point they succeeded, but they did not see that the only security for real and permanent success was to reform the Parliament itself. There the inveterate spirit of creed and class ascendancy, resting in the last resort on English military power, survived long enough to nullify their efforts.

The American Revolution and the Irish revolutionary renaissance—the one achieved by a long and bitter war, the other without bloodshed—originated and culminated together, were derived from the same sources, and ran their course in close connection. In Ireland the movement was exclusively Protestant, in America unsectarian; but in both cases finance was the lever of emancipation. America, resenting the commercial restrictions imposed by the Mother Country, but not, until passion had obscured all landmarks, contesting their abstract justice, and suffering no great material harm from their incidence, fought for the principle of self-taxation—a principle which did, of course, logically include, as the Americans instinctively felt, that of commercial freedom. Ireland, harassed by commercial restrictions far more onerous, naturally regarded

their abolition as vital, and the control of internal taxation as subsidiary. Apart from concrete grievances, both countries had to fear an unlimited extension of British claims founded on the all-embracing Declaratory Acts of 1719 and 1766.

Unfortunately for herself, Ireland for seventy years or more had been steadily supplying America with the human elements of resistance in their most energetic and independent form, and robbing herself proportionately Approximately, how many Protestants belonging mainly to Ulster, whether through eviction from the land, industrial unemployment, or disgust at social and political ostracism, left Ireland for America in the course of the eighteenth century, it is impossible to say; but the number, both relatively to population and relatively to the total emigration, Catholic and Protestant, to all parts of the world, was undoubtedly very large. Mr. Egerton, in his "Origin and Growth of the English Colonies," reckons that in 1775 a sixth part of the thirteen insurrectionary Colonies was composed of Scots-Irish exiles from Ulster, and that half the Protestant population of that Province emigrated to those Colonies between 1730 and 1770. As the crisis approached, emigration became an exodus. Thirty thousand of the farming class are said to have been driven west by the wholesale evictions of the early seventies, and ten thousand weavers followed them during the disastrous depression in the linen trade caused by interruption of commerce with America. The majority went to the northern Colonies, especially Pennsylvania, took from the first a vehement stand against the Royal claims, and supplied some of Washington's best soldiers. A minority went to the backwoods of Virginia, Maryland, and Carolina, and were little heard of until as late in the war as 1780, when Tarleton began his anti-guerilla campaign in the South. Then they woke up, and became, like their compatriots of the North, formidable and implacable foes.

Ireland and America, therefore, embarked on their struggle with the English Parliament in close sympathy. The treatise of Molyneux on Irish liberty was read with wide approval in America. Franklin visited and encouraged the Irish patriots, and the Americans in 1775 issued a special address to them, asserting an identity of interest. Chatham, on the eve of war, dwelt strongly in the House of Lords upon the same identity

of interest, and in doing so expressly coupled together Irish Catholics and Protestants.

Although united by interest and sentiment, Ireland and America entered on the struggle under widely varying conditions. The American Colonies were thirteen separate units, with only a rude organization for common action, and in each of these units there existed a cleavage of opinion, based neither on class nor creed, between rebels and loyalists. In spite of this weakness, the revolt was thoroughly national in the sense that it was organized and maintained through the State Assemblies, resting on a broad popular franchise. In Ireland, unbought and unofficial opinion was united against England. On the other hand, there was no national Legislature; only an enslaved and unrepresentative Legislature, tempered by a band of exceptionally brilliant and upright men, and continually thrust forward in spite of itself into bold and independent action by unconstitutional pressure from the unrepresented elements outside. Success so won, as we shall see, was delusive.

We may note two important additional circumstances: first, the dense mist of ignorance in which, and largely in consequence of which, England began her quarrel both with America and Ireland. The average Englishman was probably even more ignorant of Ireland, which was sixty miles away, than of America, which was three thousand miles away. I am not at all sure that that fact is not true still. At any rate, it was true then. Yet knowledge of Ireland was more necessary, because her condition was bad in ways unknown in America. In all the essentials of material well-being, America was supremely fortunate, while Ireland was in the depths of misery. It is not that this misery went undescribed or unlamented, or that it was not realized by a small number of Englishmen. Some of the most famous writings of the time, from the mordant satire of Swift to the learned and elaborate diagnosis of Arthur Young, laid bare the hideous ravages wrought by misrule in Ireland; but they had little or no effect upon English statesmen, and were unread by the only classes from which, if they had had knowledge, proper practical sympathy might have come. Until Townshend's Viceroyalty (1767-1772) most of the Irish Viceroys were absentees for the greater part

of their term of office, leaving the conduct of Irish affairs to English Bishops and Judges, the wisest and most humane of whom could make little or no impression on English official indifference. American Governors were at any rate resident, or mainly resident, and a few were good and popular administrators, though the information which most of them supplied to the Home Government showed a blindness to what was going on under their very eyes which would be incomprehensible if we did not know by experience that it is the invariable result of irresponsible rule over white men, whether at home or abroad. If, without the presence of race distinctions, it needed Parliamentary reform in England itself to force the ruling class to study with real sympathy the needs, character, and desires of their own people, naturally the same ruling class, sending out its own members or dependents to America, obtained the most grotesquely distorted notions of what Americans were and what they wanted or resented. "Their office," wrote Franklin of the Governors,* "makes them indolent, their indolence makes them odious, and, being conscious that they are hated, they become malicious. Their malice urges them to continual abuse of the inhabitants in their letters to Administration, representing them as disaffected and rebellious, and (to encourage the use of severity) as weak, divided, timid, and cowardly. Government believes all, thinks it necessary to support and countenance its officers," etc. The same spirit pervades the official correspondence of even the best Irish Viceroys of the eighteenth century, and ultimately had a far more disastrous effect in that there were at all times in Ireland ancient elements of social dissension which needed only skilful fomentation by her English rulers to ruin all hopes of reconciliation and unity. That phase was to come after the first Irish victories. For the present the system—for it can scarcely be called a policy—was to irritate all Irishmen and all Americans alike, irrespective of creed, class, or sentiment, and thus to create on each side of the Atlantic that dangerous phenomenon, an united people.

The other noticeable point, admirably described by Mr. Holland in his "Imperium et Libertas," is the confusion of political ideas in regard to the status of white dependencies—

* Trevelyan, "The American Revolution," vol. i., p. 16.

a confusion greatly augmented by loose and misleading analogies with India and the tropical Colonies. Even a genius like Burke, as I have already pointed out, was misled. Chatham came nearest to the truth, but, naturally, the actual outbreak of war with America checked his political thinking, and threw him back on the bare doctrine of supremacy, right or wrong. It was not fully understood that there must be a radical difference between the government of places settled and populated by white colonists and of places merely exploited by white traders. All the prerogatives of the Crown and Parliament were theoretically valid over both classes of dependency, and to abandon any of them seemed to most men of that day to be inconsistent with Imperial supremacy. Honest and fair-minded politicians and thinkers tried in vain to reconcile local freedom with Imperial unity. We have the key now, though we have made no use of it in Ireland; but most of our forefathers not only had no glimmering of the truth when the fratricidal war began, but learnt nothing from the war itself, and remained unenlightened for sixty years more. If the renunciation in 1778 of the right to tax the Colonies, and the negotiations founded thereon, had led to a peace, it is quite certain that friction would have subsequently arisen on other points. The idea of what we now know as "responsible government" was unknown. Short of coercive war, there seemed to be only two altogether logical alternatives—complete separation and legislative Union. America obtained the one, Ireland was eventually to undergo the other; but it is interesting to remember that suggestions, rejected by Franklin as useless, were made for the representation of the American Colonies in the English Parliament, just as suggestions for a legislative Union between Ireland and England appeared intermittently all through the eighteenth century, long before such a Union was a question of practical politics.

I need only briefly summarize the incidents which ended in the year 1782 with the final loss of the American Colonies, and the simultaneous achievement by Ireland of an apparent legislative independence. To take America first, the Stamp Act was passed in 1765, and, thanks to the tumult it created, repealed by the Whigs in 1766, though the Declaratory Act which accompanied the repeal neutralized its good results.

The new Revenue Duties on glass, paper, painters' colours, and tea were imposed in 1767, reviving the old irritation, and all but that on tea were removed, after a period of growing friction, in 1770. Another comparative lull was succeeded by fresh disorder when in 1773 the East India Company was permitted to send tea direct to America, and Boston celebrated its historic "tea-party." The coercion of Massachusetts followed, with Gage as despotic Military Governor, and, as a result, all the Colonies were galvanized into unity. In September, 1774, the Continental Congress met, framed a Declaration of Rights, and obtained a general agreement to cease from all commerce with Britain until grievances were redressed. Fresh coercion having been applied, war broke out in 1775. The Declaration of Independence was signed on July 4, 1776, by John Hancock, President of Congress and the descendant of an Ulster exile, and was first read aloud in Philadelphia by Captain John Nixon, the son of an evicted Wexford farmer. Another Irishman, General Montgomery, led the invasion of Canada.* The war, with manifold vicissitudes, dragged on for eight years; but the surrender of Cornwallis at Yorktown on October 19, 1781, virtually ended the physical struggle, while the resolution of the House of Commons on February 27, 1782, against the further prosecution of hostilities, ended the contest of principle.

The turning-point had been the intervention of the French in 1778, and the same event was to turn the scale in Ireland. There, for many years past, the public finances had been sinking into a more and more scandalous condition. Taxation was by no means heavy, but pensions and sinecures multiplied, and the debt swelled. Inevitably there grew up within Parliament a small independent opposition which would not be bribed into conniving at the ruin of Ireland, while even bought placemen were stung into throwing their votes into the Irish rather than the English scale. Frequent efforts were made to use the insufficiency of the hereditary revenue as a lever for gaining control of finance and for obtaining domestic reform. An Octennial Act, passed in 1768, went a little way towards transforming Parliament from a permanent privileged Committee, under the control of the Executive, into the semblance

* See "The Irish Race in America," by Captain Ed. O'Meagher Condore.

at least of a free Assembly, and the first dissolution under this Act, in 1776, produced the famous Parliament which, though elected on the same narrow and corrupt basis as before, in the space of six years first admitted the principle of toleration for all creeds, and wrested from English hands commercial and legislative autonomy. It came too late to avert—if, indeed, it could ever have averted—the implication of Ireland in the American War, its predecessor of 1775 having, in defiance of Irish opinion, subscribed an Address to the Crown, expressing "abhorrence" of the American revolt and "inviolable attachment to the just rights" of the King's Government, and having obediently voted four thousand Irish troops for the war.

Nor, for all the impassioned eloquence of Grattan and Hussey Burgh, did the real driving-power of the new Parliament come from within its own ranks, but from the unrepresented multitude outside. A clause removing the test from Dissenters was struck out of the Catholic Relief Act of 1778, mainly owing to dictation from England, but partly from resentment against Presbyterian sympathy with the American cause. It was only in 1780, when the Presbyterians were enrolled in that formidable revolutionary organization known as the Volunteers, that a test which had excluded them from all share in the government of their adopted country for seventy-four years was repealed. As for the Catholics, the small measure of legal relief granted to them excited no opposition anywhere. Parts of the Penal Code, especially the laws against worship and the clergy, had become inoperative with time and the sheer impossibility of enforcement. The religion, naturally, had thriven under persecution, so that in spite of the Code's manifold temptations to recant, only four thousand converts had been registered in the last fifty years. The laws designed to safeguard the wholesale confiscations of the previous century had long ago achieved their purpose, and men were beginning to perceive the fatal economic effects of keeping the great mass of the people poor and ignorant. The real spirit of toleration shown in the enactments of 1778, the most important of which enabled Catholics to obtain land on a lease of 999 years, was small enough if we consider the quiescence of the Catholics for generations past, the absence of all tendency in them

towards counter-persecution, or even towards intolerance of Protestantism in any of its forms, Quaker, Huguenot, Episcopalian, Presbyterian, or Methodist, in spite of their own overwhelming numbers and of the burning grievance of the tithes. Politically they were a source of great strength to the Government. When the Presbyterians condemned the American War, the Catholic leaders memorialized the Government in favour of it as warmly as the tame majority in Parliament.

Conservatives by religion, their devotion to authority annulled all instincts of revenge for the hideous wrongs of the past. The Government, now on the verge of a war with the two great Catholic Powers of Europe, began to realize this, and to feel the wisdom of some degree of conciliation. After all, only four years before they had not merely tolerated, but established, the Catholic Church in the conquered province of Quebec, with the result that the French Canadians remained loyal during the American War. But neither the Government nor the finest independent men in Parliament—not even Grattan—entertained the remotest idea of admitting Irish Catholics to any really effective share in the Government which their loyalty made stable. That noble but hopeless conception originated later, as the dynamic impulse for commercial freedom and legislative independence was originating now, outside the walls of Parliament.

The rupture with France in 1778 denuded Ireland of troops, and called into being the Protestant Volunteers; a disciplined, armed body, headed by leaders as weighty and respectable as Lord Charlemont. This body, formed originally for home defence, by a natural and legitimate transition assumed a political aspect, and demanded from a dismayed and terrorized Government commercial freedom for Ireland. For once in her life Ireland was too strong to be coerced. Punishment like that applied to Massachusetts was physically impossible. The bitter protests of English merchants passed unheeded, and the fiscal claims of the Volunteers, with their cannon labelled "Free Trade or this," were granted in full early in 1780. The moral was to persist. From 40,000 the numbers of the Volunteers rose in the two succeeding years to 80,000, and they stood firm for further concessions. The national movement grew like a river in spate; it swept forward the

lethargic Catholics and engulfed Parliament. In a tempest of enthusiasm Grattan's Declaration of Independence was carried unanimously in the Irish House of Commons on April 16, 1782, and a month later received legal confirmation in England at the hands of the same Whig Government and Parliament which broke off hostilities with America, and in the same session.

America took her own road and worked out her own magnificent destiny. Most of us now honour Washington and the citizen troops he led. We say they fought, as Hampden and their English forefathers fought, for a sublime ideal, freedom, and that they were chips of the old block. But let not distance delude us into supposing that they were without the full measure of human weakness, or that they did not suffer considerable, perhaps permanent, harm from the ten years of smothered revolt and lawless agitation, followed by the seven years of open war which preceded their victory. Washington's genius carried them safely through the ordeal of the war, and the still more exacting ordeal of political reconstruction after the war, but it is well known how nearly he and his staunchest supporters failed. The Revolution, like all revolutions, brought out all the bad as well as all the good in human nature. Bad laws always deteriorate a people; they breed a contempt for law which coercion only aggravates, and which survives the establishment of good laws. As I have already indicated, the dislike and the systematic evasion by smuggling of the trade laws during the long period when the revolt was incubating harmed American character, and probably sowed the seed of future corruption and dissension. However true that may be, it is certainly true that the American rebels showed no more heroism or self-sacrifice than the average Englishman or Irishman in any other part of the world might have been expected to show under similar conditions. Historians and politicians, to whom legal authority always seems sacrosanct and agitation against it a popular vice, who mistake cause and effect so far as to derive freedom from character, instead of character from freedom, can make, and have made, the conventional case against Home Rule for the Americans as plausibly as the same case has, at various times, been made against Home Rule for Canada, South Africa, and Ireland. Since all white men are

fundamentally alike in their faults as well as in their virtues, there is always abundant material for an indictment on the ground of bad character. The Americans of the revolutionary war, together with much fortitude, integrity, and public spirit, showed without doubt a good deal of levity, self-seeking, vindictiveness, and incompetence; and whoever chooses to amass, magnify, and isolate evidences of their guilt can demonstrate their unfitness for self-government just as well as he can demonstrate the same proposition in the case of Ireland. Mr. J. W. Fortescue, the learned and entertaining historian of the British Army, has done the former task as well as it can be done. He denounces the whole Colony of Massachusetts—men of his own national stock—as the pestilent offspring of an "irreconcilable faction," which had originally left England deeply imbued with the doctrines of Republicanism. Having gained, and by lying and subterfuge retained, some measure of independence, they sank from depth to depth of meanness and turpitude. They struggled for no high principle, and refused to be taxed from England, simply because they were too contemptibly stingy and unpatriotic to pay a shilling a head towards the maintenance of the Imperial Army. It is always the "mob," the "ruffians," the "rabble," of Boston who carry out the reprisals against the royal coercion, and, like the Irish peasants of the nineteenth century, they are always the half-blind, half-criminal tools of unscrupulous "agitators." It has been, and remains, an obsession with the partisans of law over liberty all the world over that the fettered community, wherever it may be and however composed, does not really want liberty, but that the majority of its sober citizens are dragged into an artificial agitation by mercenary scribes and sham patriots—a view which is always somewhat difficult to reconcile, as students of American and Irish history are aware, not only with the facts of prolonged and tenacious resistance, but with the other view, equally necessary to the argument for law, that the whole community is sinfully unfit for liberty; and Mr. Fortescue falls into the usual maze of self-contradiction and obscurity when he tries to give an intelligible account of a war which lasted seven long and weary years, and yet was "factitious," initiated by an hysterical rabble, stimulated and sustained by the basest and pettiest motives, and which, he

contends, was "the work of a small but energetic and well-organized minority towards which the mass of the people, when not directly hostile, was mainly indifferent." Happily, Mr. Fortescue's candour as an historian of facts gives us the clue to this strange tangle. We find no evidence that the sober loyalist majority who sustain one side of his argument, and whom we should expect to find crushing the revolt with ease in co-operation with the British regular troops, were, in fact, a majority, nor that they were either better or worse men, or more or less ardent patriots, than the mutinous minority, or the British regular soldiers themselves. Their loyalty, like the disloyalty of the other side, is sometimes interested and evanescent, more often sincere and tenacious; they are given to desertion, like Washington's troops, like Lee's and Grant's troops nearly a century later, like the Boer troops and like all Volunteer levies, which have somehow to combine war with the duty of keeping their homes and business afloat. We find, too, that a counter-current of desertion flows from the British, and still more from the German, regulars, also a natural enough phenomenon in what was virtually a civil war for liberty; so that "General Greene was often heard to say that at the close of the war he fought the enemy with British soldiers, and that the British fought him with those of America." And then Mr. Fortescue, ignoring the British side of the case, exultingly quotes against the Americans "the cynical Benedict Arnold, who knew his countrymen," and who said: "Money will go farther than arms in America." Yet Arnold, whose opinion of his countrymen Mr. Fortescue accepts as correct and conclusive, was himself, not a plain deserter, but a perjured military traitor of the most despicable kind. We may conclude, perhaps, after taking a broad view of the whole Revolution, that Washington not only knew his countrymen, who were Mr. Fortescue's countrymen, better than Arnold, but was a better representative of their dominant characteristics.*

Mr. Fortescue is peculiar in the violence of his prepossession, and we know the source of that prepossession, a passionate love of the British Army, which does him great honour, while it distorts his political vision. I should not refer at such

* "History of the British Army," vol. iii.

length to his view of the American War were it not that, whenever a concrete case of Home Rule comes up for discussion, his philosophy is apt to become the typical and predominant philosophy. Historical sense seems to vanish, and the same savage racial bias supervenes, whether the unruly people concerned are absolutely consanguineous, closely related, or of foreign nationality. Instead of a general acceptance of the ascertained truth that men thrive and coalesce under self-government and sink into deterioration and division under coercion, we get the same pharisaical assumption of superiority in the dominant people, the same attribution of sordid and ugly motives to the leaders of an unruly people, the same vague idealization of the loyalist minority, the same fixed hallucination that the majority does not want what by all the constitutional means in its power it says it wants, and the correspondingly fatal tendency to gauge the intensity of a conviction solely by the amount of physical violence it evokes, while making that very violence an argument for the depravity of those who use it, and a pretext for denying them self-government.

All this is terribly true in the case of Ireland, and when I next revert to the American continent, the reader will observe that the same ideas were entertained towards Canada, the only white Colony left to the British Empire after the loss of the thirteen States.

CHAPTER III

GRATTAN'S PARLIAMENT

We left Ireland in 1782 apparently in possession of a triumph as great as that of America, though won without bloodshed and without the least tincture of sedition; for the Volunteers of 1782 were as loyal to the Crown as the most ardent American royalists. In the light of political ideas developed at a much later period, we know that the American Colonies might have remained within the Empire, even if their utmost claims had been granted. Had the idea of responsible government been understood, it would have been realized that their exclusive control of taxation and legislation was not inconsistent with Imperial Union, but essential to it. Grattan and his Irish friends, ignorant of the true solution, honestly thought, in the intoxication of the moment, that they had solved the problem so disastrously bungled for America. The facts of ethnology and geography seemed to have been recognized. Ireland and England, united by a Crown which both reverenced, stood together, like Britain and the Dominions of to-day, as sister nations, with the old irritating servitude swept away, and the bonds of natural affection and natural interest substituted. That the close proximity of the two nations, however marked the contrast between their natural characteristics, made these bonds far more necessary and valuable than in the case of America, stood to reason, and, again, the fact was recognized in Anglo-Irish relations. America had fought rather than submit to a forced contribution to Imperial funds. Nobody in Ireland, in or out of Parliament, had ever objected in principle to an indirect voluntary contribution in troops, and now that the American War was ended, non-Parliamentary objections to one particular application of the principle had no further substance. Nor, as was shortly to be shown in the reception

given in Ireland to Pitt's abortive Commercial Propositions of 1785, was there any objection to a direct contribution in money on a fixed annual scale in return for a mutual free trade.* The sun had surely risen over a free yet loyal Ireland.

Never was there a more complete delusion. It would have been far better for Ireland if she had never had a Parliament at all, but had had to seek her own salvation in the healthy rough-and-tumble of domestic revolution. The mere name of "Parliament" seems perpetually to have hypnotized even its best members, and the illusion was at its highest now. Nothing essential had been changed. Commercial freedom was the most real gain, because it involved the definite repeal of certain trade-laws and the permission to Ireland to make what she liked and send it where she liked; but it was a small gain without some means of finding out what Ireland really liked, and translating that will, without external pressure, into law. The Parliament was neither an organ of public opinion nor a free agent. It was even more corrupt and less representative than before. It was as completely under the control of the English Government as before. The modern conception of a Colonial Ministry serving under a constitutional Governor selected by the Crown, but acting with the advice of his Ministry, was unknown. The English Government, through its Lord-Lieutenant, still appointed English Ministers in Ireland, and in the hands of these Ministers lay not only that large portion of the national income known as the hereditary revenue, but the whole machinery of patronage and corruption. Even the legislative independence was unreal; for majorities still had to be bought, Irish Bills had still to receive the Royal Assent, that is, English ministerial assent; so that powerful English pressure could be, and was, brought to bear upon their policy and construction. And the worst of it was that English pressure here and elsewhere meant then what it meant in the next century, and what it too often means now, English party pressure exercised spasmodically and ignorantly, in order to serve sectional English ends. In short, Ireland, so far from being

* Pitt's original scheme was accepted in Ireland, but defeated in England, owing to the angry opposition of British commercial interests. The scheme, as amended to conciliate these interests, was deservedly rejected in Ireland.

a nation, was still virtually a Colony, subjected to the worst conceivable form of colonial Government, groaning under economic evils unknown in the least fortunate of the Colonies, and without the numerous mitigating circumstances and the hope of ultimate cure due to remoteness from the seat of Empire. On the contrary, nearness to England, and, above all, nearness to France, where the misrule and miseries of ages were about to culminate in a fearful upheaval of social order, complicated immensely the problem of regeneration in Ireland.

What was the remedy? Parliamentary reform. The Volunteers saw this instantly. Parliament itself scouted the idea of reform, because it threatened the Protestant ascendancy. Any weakening of the Protestant ascendancy was unthinkable to Irish statesmen, even to Grattan, who in 1778 had coined the grandiose phrase that "the Irish Protestant could never be free until the Irish Catholic had ceased to be a slave," and who afterwards explained what he meant by saying that the liberty of the Catholic was to be only such as was "entirely consistent with the Protestant ascendancy," and that "the Protestant interest was his first object." Ascendancy, then, in the mind of the ruling class in Ireland was fundamental. What was its corollary? Dependence on England. Ascendancies, whether based on creed or property, or, as in Ireland, on both, cannot last in any white community without external support, and the external support for ascendancy in Ireland was English force without and English bribes within. There was the chain of causation, the vicious circle rather; and yet Grattan, who never touched a bribe, thought he had freed his beloved Ireland from the English influences which were throttling her. He could not see that the more he wrestled for the independence of a sham Parliament, while resisting its transformation into a real Parliament, the more he strengthened those influences, because he inevitably widened the gulf between Parliament and the Irish people. The glamour his brilliant gifts had thrown over the Irish Parliament only served to divert his own mind and the minds of other talented and high-minded men from the seat of disease in Ireland. Time and talent were wasted from the first over points of pride, trivialities which seemed portentous to over-sensitive minds; metaphysical puzzles as to the exact nature of the

relations now existing between Ireland and England; whether the repeal of the Poynings' Act and the Declaratory Act were sufficient guarantees of freedom; whether Ireland herself should nominate a Regent or accept the nomination from England. Meanwhile, the sands were running out, and Ireland was a slave to a minute but powerful minority of her sons and, only through them, to England.

Yet the heart of Ireland was sound. All the materials for regeneration were there. The Catholics, whom by an old inherited instinct Grattan professed to dread, were the most Conservative part of the population, so Conservative as to be unaware of the source of their miseries, without the smallest leaning towards a counter-ascendancy, and without a notion of sedition or rebellion. Paradox as it seems, if they leaned in any political direction, it was dimly towards the constituted authority of the day, the Irish Parliament. But the truth is that they were without political consciousness, behind the times, unappreciative of the new forces operating round them. In sore need of courageous and enlightened guidance from men of their own faith, they were almost leaderless. The leeway to be made up after the destructive action of the penal laws was so enormous that Catholic philanthropists had no time or will for high politics, and devoted their whole energy to the further relaxation of those laws, to the education of their backward co-religionists, and to the mitigation of poverty. For relief they instinctively looked towards the only legal source of relief, though the source of secular oppression, Parliament. But this was habit. The Catholics at this time were like clay in the hands of the potter, open to any curative and ennobling impulse. That impulse came, as was right and natural, from the Protestant side. The only healthy political organization in Ireland in 1782 was that of the Volunteers of the North, with their headquarters at Belfast. They represented all that was best in the Protestant population. They had won the practical victory, such as it was, Parliament, with all its flaming rhetoric, only the titular victory. They grasped the essential truth that Parliament was rotten, and that Ireland's future depended on its reform. Numbering some 80,000 or 100,000, they at once began to press for reform, and, since they had no constitutional resources, to overawe

Parliament. Parliament at once stood on its dignity and on its civil rights against the "Pretorian bands." "And now," said Grattan in his magnificent way, "having given a Parliament to the people, the Volunteers will, I doubt not, leave the people to Parliament, and thus close specifically and majestically a great work."

But the work was not begun. Parliament was the enemy of the people, and the Volunteers knew it. Now, what was the "people" in the minds of the Volunteers? Undoubtedly they did not, after a century of racial ascendancy, perform the miracle of accepting at once in its entirety the principle of absolute political equality for all Irishmen, Catholic and Protestant alike. Such mental revulsions rarely occur among men, and when they do occur are apt to produce reactionary cataclysms. But they did from the first give a real meaning to Grattan's vague rhetoric about Catholic slaves; from the first they made overtures towards the Catholics, and ventilated proposals for the Catholic franchise as a part of their scheme of reform ten years before that enfranchisement, without Parliamentary reform and therefore valueless, became a practical issue. For the present these proposals were outvoted, and the effective demand of the Volunteers, as framed in the great Convention held at Dublin in November, 1783, was for a purification and reconstruction of Parliament on a democratic Protestant basis. The Catholic franchise had been strongly supported, but by the influence of Charlemont and Flood rejected. It is, of course, easy to maintain in theory that a democratic Protestant ascendancy so designed was as incompatible with Irish freedom as an aristocratic and corrupt ascendancy; but nobody with faith in human nature or any knowledge of history, will care to affirm that the process of reform would have ended with the enactment of the Volunteer Bill. No present-day Protestant Ulsterman should entertain such a dishonouring doubt. Mercifully, men are so made that, if left to themselves, they go forward, not backward. A pure Assembly, formed on the Volunteer plan, stimulated by the enlightened conscience which such an Assembly invariably develops, by the discovery of the fundamental identity of interests between the great bulk of Catholics and Protestants, and by the manly instinct of self-preservation

against undue English encroachment, would have moved rapidly towards tolerance and equality.

But the Assembly which might have saved Ireland never came into being. The Volunteers were in weak and incompetent hands. The metamorphosis they had undergone from a body formed for home defence into a militant political organization found them at the critical moment unprovided with the right stamp of leader. Flood, who helped to draft their Bill, was a brilliant but unscrupulous and discredited Parliamentarian, and a fanatical advocate of an unimpaired Protestant ascendancy. Lord Charlemont, one of the most influential founders of the movement, and a man of the highest integrity, was lukewarm for reform, an aristocrat and an ascendancy man to the finger-tips, dreading the mysterious forces he had helped to call into being, and desirous to keep them, as he said, "respectable." Was it respectable for armed men to dictate to a Parliament, however just their cause? As often happens in the ferment of popular movements, the one leader who spoke undiluted truth and sense spoke it in florid and unmeasured language and was himself of a figure and behaviour little likely to inspire permanent confidence. This was the famous Bishop of Derry, called by Charlemont a blasphemous Deist, by Wesley an exemplary Divine, by Fox a dishonest madman, and by Jeremy Bentham "a most excellent companion, pleasant, intelligent, well-bred, and liberal-minded to the last degree." He was certainly vain and ostentatious, certainly a democratic free-thinker, but a full knowledge of his character is not of much concern to us. The point is that he was right about Ireland's needs, though the wrong man at the moment to drive home her claims. Many finer agitators than he have failed in causes just as good. Many without half his merits have succeeded. We shall find his Canadian counterparts later in the figures of Mackenzie and Papineau.

The crisis came on November 29, 1783, when the Reform Bill reached Parliament, and was introduced by Flood, wearing the Volunteer dress. It was rejected on the first vote. No doubt the circumstances were humiliating, and if there had been any serious inclination in Parliament towards self-reform and the relinquishment of an odious and mischievous monopoly,

we should freely forgive rejection. But there was little or none, as after-events proved, and the real humiliation lay, not in the dictation of the Irish Volunteers, but in the fact that the Volunteers themselves were overawed by a strong body of British regular troops, mustered for the occasion under General Burgoyne. The vicious circle was complete. Forced to choose between reform and dependence on England, Parliament chose the latter. And only a year and a half before Grattan had dazzled his hears with the words : "Ireland is now a nation . . . *esto perpetua.*"

There are very few critical dates in Irish history, and of those few the night of November 29, 1783, was the most critical of all. It marked the climax of a brief and bright renaissance from the long stagnation of the eighteenth, and heralded a decline into the long agony of the nineteenth century, a decline concealed by the fictitious lustre which still hangs over the first decade of Grattan's unreformed Parliament, but none the less already present. The Volunteers, their grand opportunity lost, slowly broke up. Should they have used force, even under the threat of Burgoyne's guns ? It would have been infinitely better both for England and Ireland if they had. Nothing but force could avail. Never would force have been better justified, for the very soul of a people "rang zwischen Tod und Leben."

It is hard, nevertheless, to blame the Volunteers for not appreciating the full magnitude of the crisis and acting accordingly. They were ahead of their time as it was in the political instinct which taught them the vital importance of a reformed Parliament. They were far ahead of England, where the younger Pitt had failed to carry Reform a few months before, and was to fail again two years later when he urged reform for Ireland. They were even ahead of their time in religious tolerance—witness the Gordon riots in London two years before. Their Parliament wore the crown and spoke the regal language of a patriot Assembly. For five years they themselves had glorified justifiably in the perfect discipline and sobriety with which they had used their irregular power. Their most trusted leaders suggested that they would yet achieve their ends without violence, while the large majority of the Volunteers themselves were still as loyal to the Crown as the

Catholics, and were inclined, therefore, to shrink from action which, although in itself not in the remotest degree connected with dynastic questions, involved a theoretical conflict with the Crown, and perhaps an actual collision with Royal troops. One of the last acts of the Volunteer Convention, before its dissolution, was to pass an address to the King expressing fervent zeal for the Crown, reminding him of their quiet and dignified behaviour in the past, and praying that "their humble wish to have certain manifest perversions of the Parliamentary representation of this kingdom remedied by the Legislature in some reasonable degree, might not be imputed to any spirit of innovation in them, but to a sober and laudable desire to uphold the Constitution, to confirm the satisfaction of their fellow-subjects, and to perpetuate the cordial union of the two kingdoms." This document might have been copied *mutatis mutandis* from the American petitions prior to the war, and was to be reproduced almost word for word in Canadian petitions dealing with less serious grievances whose neglect at the hands of the Government did actually lead to armed rebellion. It must be taken, as Mr. Lecky truly says, as the "defence of the Convention before the bar of history." Drawn up by the most moderate and least prescient leaders, it was a vindication of the past, not a pledge for the future; for "from that time," as Mr. Lecky writes, "the conviction sank deep into the minds of many that reform in Ireland could only be effected by revolution, and the rebellion of 1798 might be already foreseen."

The story of that transition, with all its disastrous consequences in the denationalization of Ireland, in the arrest of healing forces, in the reawakening of slumbering bigotries and hatreds, in the artificial transformation of Catholics into anti-English rebels, and Protestants into anti-Irish Loyalists, in the long agony of the land war, the tithe war, the Church war, and the loathsome savageries of the rebellion itself, is one of the most repulsive in history. It is repulsive because you can watch, as it were, upon a dissecting-table the moral fibre of a people, from no inherent germ of decay, against reason, against nature, visibly wasting under a corrosive acid. Typical figures stand out: the strong figure of Fitzgibbon, voicing ascendancy in its crudest and ugliest form; at the other

extreme the ardent but inadequate figure of Wolfe Tone, affirming in words which expressed the literal truth of the case that "to subvert the tyranny of our execrable Government, to break the connection with England, the never-failing source of all our political evils, and to assert the independence of my country—these were my objects." Midway stands Grattan, the defeated and disillusioned "Girondin," as Mr. Fisher aptly calls him,* blind until it was too late to the errors which plunged his country into anarchy, and retiring in despair when he saw that anarchy coming. And on the other side of the water, Pitt, dispassionately prescribing for Ireland in 1784, while there was yet time, the radical remedy, Reform, patiently turning, when that was refused, to palliatives like mutual free trade in 1785 and the Catholic franchise in 1793; and meanwhile, with an undercurrent of cool scepticism, preparing the ground for the only alternative to Reform, short of a revolutionary separation of the two countries, legislative Union, and remorselessly pushing that Union through by the only available means, bribery.

In this wretched story we seek in vain for individual scapegoats. Tracing events to their source, we strike against two obstructions, proximity and ignorance, and we may as well make them our scapegoats. If proximity had implied knowledge and forbearance, all would have been well, but it implied just the reverse, and prohibited the kind of solution which, after very much the same sort of crisis, and in the teeth of ignorance and error, was afterwards reached in the case of Canada and South Africa.

The immediate cause is clear. The failure of Reform is the key to the Rebellion and the Union. In a patriotic anxiety to idealize Grattan's Parliament, with a view to justifying later claims for autonomy, Irishmen have generally shut their eyes to this cardinal fact, and have preferred to dwell with exaggerated emphasis on the little good that Parliament did rather than on the enormous evils which it not only left untouched, but scarcely observed. We must remember that it was not only a Protestant body, but a close body of landlords, with an infusion of lawyers and others devoted to the interest of land-

* J. Fisher, "The End of the Irish Parliament." The author is much indebted to this brilliant study, which appeared only this year (1911).

lords. In that capacity it was incapable of diagnosing, much less of remedying, the gravest material ills of Ireland. In the very narrow domain where the landlord interest was not concerned, as in industrial and commercial matters, Parliament seems to have acted on the whole with wisdom. It endeavoured to encourage industries, while refusing to squander its newly won commercial powers in waging tariff wars with Great Britain, where prohibitive duties against Irish goods still continued to be imposed. But Ireland was no longer an industrial country. All the encouragement in the world could not replace lost aptitudes or bring back the exiled craftsmen who, during a century past, had left Ireland to enrich European countries with their skill. The favoured linen industry alone survived to reach its present flourishing condition. The revival in other manufactures, even in that of wool, which was remarkably rapid and strong, seems to have been artificial and transient. No wonder; for, while Ireland had been stagnant for a century, her great competitor, England, had been steadily building up that capacity for organized industry which, under the inventive genius of Arkwright, Hargreaves, and Watt, and the economic genius of Adam Smith, made the last twenty years of the eighteenth century such a marvellous period of industrial expansion, and eventually converted England from an agricultural into a manufacturing nation. Ireland was hopelessly late in the race. On the other hand, the fertile land of Ireland remained as the indestructible source of wealth and the prime means of subsistence for the great bulk of the four and a half million souls who inhabited the country. Parliament seems to have been almost indifferent to the miseries of the agricultural population, wholly indifferent, certainly, to their source, the vicious agrarian system which it was the interest of its own members to sustain. Foster's famous Corn Law without doubt increased tillage, and, in conjunction with the inflated prices for produce caused by the French War, gave a powerful though a somewhat unhealthy impulse to the trade in corn. But it enriched only the landlords, and left untouched the real abuses, absenteeism, middlemanism, insecurity of tenure, rack-rents, and tithes. The Whiteboy risings of the sixties and seventies recurred, and were met with Coercion Acts as stupid and cruel as those of the nineteenth

century. The tithe grievance, which festered and grew into civil war in the nineteenth century, was never touched. While tenants in North-East Ulster were painfully and forcibly establishing their custom of tenant right in the teeth of the law, the inhuman system of cottier tenancy, which was to last until 1881, became more and more firmly rooted in other parts of Ireland.

None but a democratic Assembly could possibly have grappled with these evils ; nor is there any reason to suppose that in the existing condition of Ireland a Protestant democratic Assembly, even if temporarily it retained its sectarian character, would have grappled with them less boldly and drastically than an Assembly composed of Catholics and Protestants. The material interests of nineteen-twentieths of the people were the same, while the education and intelligence belonged mainly to the Protestants. Ulster tenants had as much need of good land laws as other tenants. Tithes were as much disliked in the north as in the south. The Established Church was the Church of a very small minority, and its clergy, numbers of whom were absentees, were as unpopular as the absentee landlords and the absentee office-holders and pensioners.

But with no redress, and, what is more important, no prospect of redress for the primary ills of Ireland, the centrifugal forces of religion and race had full scope for their baneful influence. And it was at the very moment when tolerance was steadily gaining ground among all classes that these spectres of ancient wrong were summoned up to destroy the good work.

How did this come about ? Let us remember once more that everything hinged on Reform. Reform gained a little, but suffered far more, by its association with the question of Catholic franchise, which was useless without Reform, while it was the corollary of Reform. Nothing is more remarkable than the growth of academic tolerance during this period, doubtful and suspect as the motives sometimes were. It is true that the great Relief Act of 1793, giving Catholics the vote and removing a quantity of other disqualifications, would scarcely have been sanctioned by the Parliamentary managers without the stern dictation of Pitt, whose mind was strongly influenced by the violent anti-Catholic turn just taken by the

French Revolution; but, once sanctioned, it passed rapidly, and was received with universal satisfaction in the country at large. Without "Emancipation," that is, the permission to elect Catholics to sit in Parliament and hold office, the franchise was illusory and even harmful. In the counties the forty-shilling "freehold" vote ("freehold" was an ironical misnomer) encouraged Protestant landlords for another generation, before and after the Union, still further to subdivide already excessively small holdings, while the benefits to be derived from the admission to power of propertied Catholics, with all their intensely Conservative instincts, were thrown away. Emancipation apart, the franchise without Reform was a complete farce, for the boroughs, which controlled the Parliamentary balance, were the personal property of Protestant landlords, and the 110 Parliamentary placemen were indirectly their tools. As usual, the men of light and leading contributed unconsciously to the strength of a system which, in their hearts, as honest men, they condemned. Each of them had some fatal defect of understanding. Grattan became a strong Emancipator, but remained an academic and ineffectual reformer striving in vain to reconcile Reform with a passionate abhorrence of democracy and a determination to keep power in the hands of landed property. In England, which was Protestant in the Established sense, he would have done no more harm than Burke, who for the same reason fought Reform as strongly as Pitt and his father Chatham had advocated it. But in Ireland, which was Catholic and Nonconformist, landed property signified Episcopalian landed property, that is, the narrowest form of ascendancy. Charlemont was an even stranger paradox. He was an academic Reformer before Grattan, but not an Emancipator, arriving at the same sterility as Grattan through a religious bias which Grattan ceased to feel, a bias inspired, not by a fanatical fear of democracy in itself, but by a fear of Catholic revenge for past wrongs. These men and their like, admirable and lovable as in many respects they were, were useless to Ireland in those terrible times. Whether Emancipation, unaccompanied by Reform, had any real chance of passing Parliament in 1795, when the Whig Viceroy Fitzwilliam, the one Viceroy in the eighteenth century who ever conceived the idea of governing

Ireland according to Irish ideas, came over from England with the avowed intention of proposing it, is a matter of conjecture. Fitzwilliam was snuffed out by Pitt, and recalled under circumstances which still remain a matter of controversy. All we can say with certainty is that the opinion of Ireland at large was absolutely ignored, and that English party intrigues and English claims on Irish patronage had much to do with the result. On the whole, however, I agree with Mr. Fisher that too much importance has been given to this episode, especially by Mr. Lecky, who devotes nearly a volume to it.

The anti-national Irish Parliament was past praying for. Long before 1795 the Irish aristocracy had lost whatever power for good it ever possessed, and most of the resolute reformers of Wolfe Tone's middle-class Protestant school had turned, under the enthralling fascination of the French Revolution, into revolutionaries. Reform had been refused in 1782; again, and without coercion from the Volunteers, in 1783. It was refused again in 1784, against the advice of Pitt and at the instigation of Pitt's own Viceroy, Rutland, whom Pitt had urged—what a grim irony it seems!—to give "unanswerable proofs that the cases of Ireland and England are different," and who answered with truth that the ascendancy of a minority could only be maintained "by force or corruption." Every succeeding year showed the same results. Wolfe Tone was more than justified, he was compelled, to convert his Society of United Irishmen, founded in 1791, into a revolutionary organization and to seek by forcible means to overthrow the Executive which controlled Parliament and, through it, Ireland. Since the symbol of the Irish Executive was the British Crown, he, of course, abjured the Crown, though he had no more quarrel with the Crown as such than had the American or Canadian patriots. He simply loved his country, and from the first saw with clear eyes the only way to save her. Tolerance to him was not an isolated virtue, but an integral part of democracy. He took little interest in the Parliamentary side of Catholic relief, realizing its hollow unreality, and, in the case of the Bill of 1793, actually ridiculing the absurd spectacle of the Catholic cottiers being herded to the poll by their Protestant landlords. Nor was he even an extreme Democrat, for he advocated a ten-pound, instead of a forty shilling

franchise. His original pamphlet of 1791 contains nothing but the most sober political common sense.

His aim was to unite Irishmen of all creeds to overthrow a Government which did not emanate from or represent them, and which was ruinous to them. It is not surprising that he failed. Ireland was very near England. French intervention had been decisive in distant America, and the French Revolution in its turn had been hastened by the American example. But the intervention in Ireland of Republican France, for purely selfish and strategic reasons, without effective command of the sea, and with the stain of the Terror upon her, was of little material value and a grave moral handicap to the Irish Revolutionists. It is the manner of Tone's failure and the consequences of his failure that have such a tragic interest. A united Ireland could have dispensed with the aid of France. What prevented unity? Tone laboured to bring both creeds together, and to a certain degree was successful. Until the very last it was the Catholics, not the Protestants, who shrank most from revolution. Yet, in the Rebellion of 1798, the North never moved, while Catholic Wexford and Wicklow rose.

The root cause is to be found in those agrarian abuses whose long neglect by the Irish Parliament constituted the strongest justification for Reform. The Orange Society, founded under that name in 1795, originated in the "Peep o' Day Boys," a local association formed in Armagh in 1784 for the purpose of bullying Catholics. There is no doubt that the underlying incentive was economic. Even when the Penal Code had lost in efficacy, its results survived in the low standard of living of the persecuted Catholics. As I pointed out in a former chapter, the reckless cupidity of the landlords in terminating leases and fixing new rents by auction, with the alternative of eviction, threw those Protestant tenants who did not emigrate into direct competition with Catholic peasants of a lower economic stamp, who because they lived on little could afford to offer fancy rents. Hence much bitter friction, leading to sordid village rows and eventually to the organized ruffianism of the Peep o' Day Boys. The Catholic Franchise Act of 1793, unaccompanied by Emancipation, actually intensified the trouble by removing the landlord's motive to prefer a Protestant tenant on account of his vote. Under ill-treatment,

the Catholics naturally retaliated with a society known as the "Defenders," and in some districts were themselves the aggressors. Defenderism, in its purely agrarian aspect, spread to other parts of Ireland, where Protestants were few, and became merged in Whiteboyism. This had always been an agrarian movement, directed against abuses which the law refused to touch, and without religious animus, although the overwhelming numbers of the Catholics in the regions where it flourished would have placed the Protestants at their mercy. In Ulster both the contending organizations necessarily acquired a religious form and necessarily retained it. But at bottom bad laws, not bigotry, were the cause. There was nothing incurable, or even unique, about the disorders. Analogous phenomena have appeared elsewhere, for example, in Australia, between the original squatters on large ranches and new and more energetic colonists in search of land for closer settlement. Under a rational system of tenure and distribution there was plenty of good land in Ireland for an even larger population. Tone, who was a middle-class lawyer, seems never to have appreciated what was going on. So far from healing the schism, he appears to have widened it by throwing the United Irish Committee of Ulster into the scale of the Catholics against the Orangemen. But, in truth, he was helpless. Good administration only could unite these distracted elements, and without the Reform for which he battled, good administration was impossible. The dissension, widening and acquiring an increasingly religious and racial character, paralyzed Ulster, which originally was the seat of the Revolution. The forces normally at work to favour law and order—loyalty to the Crown, dislike of the French Revolution, and resentment at Franco-Irish conspiracies—gathered proportionately greater strength.

The Southern Rebellion of 1798—a mad, pitiful thing at the best, the work of half-starved peasants into whose stunted minds the splendid ideal of Tone had scarcely begun to penetrate—was a totally different sort of rebellion from any he had contemplated. It was neither national nor Republican. The French invasions had met with little support; the first with positive reprobation. Nor was it in origin sectarian, although, once aflame, it inevitably took a sectarian turn. Several of the

prominent leaders were Protestants. Priests naturally joined in it because they were the only friends the people had had in the dark ages of oppression. In so far as it can be regarded as spontaneous, it was of Whiteboy origin, anti-tithe and anti-rack-rent. But it was not even spontaneous; that is another dreadful and indisputable fact which emerges. The barbarous measures taken to repress and disarm, prior to the outbreak, together with the skilfully propagated reports of a coming massacre by Orangemen, would have goaded any peasantry in the world to revolt, and the only astonishing thing is that the revolt was so local and sporadic. General Sir Ralph Abercromby retired, sickened with the horrors he was forbidden to avert. "Within these twelve months," he wrote of the conduct of the soldiery at the time of his resignation, "every crime, every cruelty that could be committed by Cossacks or Calmucks has been transacted here. . . . The struggle has been, in the first place, whether I was to have the command of the Army really or nominally, and then whether the character and discipline of it were to be degraded and ruined in the mode of using it, either from the facility of one man or from the violence and oppression of a set of men who have for more than twelve months employed it in measures which they durst not avow or sanction."

Abercromby's resignation, in Mr. Lecky's opinion, "took away the last faint chance of averting a rebellion." Fitzgibbon, Lord Clare, was now supreme in the Government, and henceforth represents incarnate the forces which provoked the Rebellion and founded upon it the Union. He had bided his time for a decade, watching the trend of events, foreseeing their outcome, and smiling sardonically at the ineffectual writhings of the men of compromise. He stands out like a block of black granite over against the slender figure of Wolfe Tone, who was his anti-type in ideas and aims, his inferior in intellect, his superior in morals, but no more than his rival in sincerity, clarity, and consistency of ideas. Clare was a product of the Penal Code, the son of a Catholic Irishman who, to obtain a legal career, had become a Protestant. He himself was not a bigot, but a very able cynic, with a definite theory of government. Tolerance, Emancipation, Reform, were so

much noxious, sentimental rubbish to him, and he had never scrupled to say so. Ireland was a Colony, English colonists were robbers in Ireland, and robbers must be tyrants, or the robbed will come by their own again; that was his whole philosophy,* his frigid and final estimate of the tendencies of human nature, and his considered cure for them. Racial fusion was a crazy conception not worth argument. Wrong on one side, revenge on the other; policy, coercion. As he put it in his famous speech on the Union, the settlers to the third and fourth generation "were at the mercy of the old inhabitants of the island." "Laws must be framed to meet the vicious propensities of human nature," and laws of this sort for the case of Ireland should, he held with unanswerable logic, properly be made in England, not by the travesty of a Parliament in Ireland, which, in so far as it was in any degree Irish, had shown faint but ominous tendencies towards tolerance and the reunion of Irishmen. He never took the trouble to demonstrate the truth of his theory of revenge by a reasoned analysis of Irish symptoms. He took it for granted as part of a universal axiomatic truth, and, like all philosophers of his school, pointed to the results of misgovernment and coercion as proofs of the innate depravity of the governed and of their need for more coercion. Anticipating a certain limited class of Irishmen of to-day, often brilliant lawyers like himself, he used to bewail English ignorance of Ireland, meaning ignorance of the incurable criminality of his own kith and kin. He was just as immovably cynical about the vast majority of his own co-religionists as about the conquered race. If, as was obvious, so far from fearing the revenge of the Catholics, their unimpeded instinct was to take sides with them to secure good government, they were not only traitors, but imbeciles who could not see the doom awaiting them. Yet Fitzgibbon's admirers must admit that his consistency was not complete. He was perfectly cognizant of the real causes of Irish discontent. He was aware of the grievances of Ulster, and his description of the conditions of the Munster peasantry in the Whiteboy debates of 1787 is classical. If pressed, he would have answered, we may suppose, that it was impolitic to cure

* See Fitzgibbon's Speeches in the Irish House of Lords, on the Catholic Franchise Bill, March 13, 1793, and on the Union, February 10, 1800.

evils which were at once the consequence of ascendancy and the condition of its maintenance. That other strange lapse in 1798, when he described the unparalleled prosperity of Ireland since 1782 under a Constitution which, in the Union debates of 1800, he afterwards covered with deserved ridicule as having led to anarchy, destitution, and bankruptcy, must be attributed to the exigencies of debate ; for he was an advocate as well as a statesman, and occasionally gave way to the temptation of making showy but unsubstantial points.

These slips were rare, and do not detract from the massive coherence of his doctrine. He remains the frankest, the most vivid, and the most powerful exponent of a theory of government which has waged eternal conflict with its polar rival, the Liberal theory, in the evolution of the Empire. The theory, of course, extends much farther than the bi-racial Irish case, to which Fitzgibbon applied it. It was used, as we shall see, to meet the bi-racial circumstances of Canada and South Africa, and it was also used in a modified form to meet the uni-racial circumstances of Australia and of Great Britain itself. Anyone who reads the debates on the Reform Bill of 1831 will notice that the opposition rested at bottom on a profoundly pessimistic distrust of the people, and on the alleged necessity of an oligarchy vested with the power and duty of "framing laws to meet the vicious propensities of human nature." In a word, the theory is in essence not so much anti-racial as anti-democratic, while finding its easiest application where those distinctions of race and creed exist which it is its effect, though not its purpose, to intensify and envenom. Fitzgibbon is a repulsive figure. Yet it would be unjust to single him out for criticism. Like him, the philosophers Hume and Paley believed in oligarchy, and accepted force or corruption as its two alternative props. Burke thought the same, though the Pitts thought otherwise. Fitzgibbon's brutal pessimism was only the political philosophy of Paley, Hume, and Burke pushed relentlessly in an exceptional case to its extreme logical conclusion. But we can justly criticize statesmen of the present day who, after a century's experience of the refutation of the doctrine in every part of the world, still adhere to it.

CHAPTER IV

THE UNION

THE worst feature of Fitzgibbonism is that it has the power artificially to produce in the human beings subject to it some of the very phenomena which originally existed only in the perverted imagination of its professors. Some only of the phenomena; not all; for human nature triumphs even over Fitzgibbonism. There has never been a moment since the Union when a representative Irish Parliament, if statesmen had been wise and generous enough to set such a body up, would have acted on the principle of revenge or persecution. Nor, in spite of all evidences to the contrary, has there ever been a moment when Protestant Ulstermen, heirs of the noble Volunteer spirit, once represented in such a Parliament, would have acted on the assumption that they had to meet a policy of revenge. Nevertheless, Fitzgibbonism did succeed, as it was to succeed in Canada, in making pessimism at least plausible and in achieving an immense amount of direct ascertainable mischief.

The rift between the creeds and races, just beginning to heal three generations after the era of confiscation, but reopened under the operations of economic forces connected with race and religion, yet perfectly capable of adjustment by a wise and instructed Government, yawned wide from 1798 onwards, when Government had become a soulless policeman, and scenes of frenzy and slaughter had occurred which could not be forgotten. Swept asunder by a power outside their control, Protestants and Catholics stood henceforth in opposite political camps, and it became a fixed article of British policy to govern Ireland by playing upon this antagonism. The flame of the Volunteer spirit never perished, but it dwindled to a spark under the irresistible weight of a manufactured reaction. Dis-

senters and Anglicans united, not to lead the way in securing better conditions for their Catholic fellow-countrymen, not for the interests of Ireland as a whole, but under the ignoble colours of religious fanaticism. Hence that strangely artificial alliance between the landlords of the South and West and the democratic tenantry, artisans, and merchants of the North; an alliance formed to meet an imaginary danger, and kept in being with the most mischievous results to the social and economic development of Ireland. Since the Protestant minority had made up its mind to depend once more on the English power it had defied in 1782, the old machine of Ascendancy, which had showed certain manifest signs of decrepitude under Grattan's Parliament, was reconstructed on a firmer, less corrupt, and more lasting basis.

The Legislative Union is not a landmark or a turning-point in Irish history. It reproduced "under less assailable forms" the Government which existed prior to 1782. The real crisis, as I have said, came at the end of 1783, when the Volunteers tried, by reforming Parliament, to give Irish Government an Irish character. It is essential to remember—now as much as ever before—that Ireland has never had a national Parliament. She has never been given a chance of self-expression and self-development. It is useless, though Home Rulers frequently give way to the temptation, to advocate Home Rule by arguing from Grattan's Parliament. O'Connell, in the Repeal debate of 1834, devoted hours to praising that Parliament, and had his own argument turned against him with crushing force by the Secretary to the Treasury, who easily proved that it was the most corrupt and absurd body that ever existed. The same game of cross-purposes went on in the Home Rule debates of 1886 and 1893, and reappeared but this year in a debate of the House of Lords (July 4, 1911), when the Roman Catholic Home Ruler, Lord MacDonnell, eulogized Grattan's Parliament in answer to Lord Londonderry, the Protestant Unionist landlord, who painted it in its true colours. Yet Lord Londonderry springs from the class and school of Charlemont, who, by refusing to act as an Irishman, hastened the ruin of the Parliament which Lord Londonderry satirizes, and Lord MacDonnell from the race which was betrayed by that Parliament. The anomaly need not surprise us. It is not

stranger than the fact that the Union would never have been carried without Catholic support in Ireland.

The point we have to grasp is that Ireland was a victim to the crudity and falsity of the political ideas current at the time of the Union, persistent all over the Empire for long afterwards, and not extinct yet. Between Separation, personified by Tone, and Union, personified by Fitzgibbon, and carried by those milder statesmen, Castlereagh and Pitt, there seemed to be no alternative. Actually there was and is an alternative: a responsible Irish Parliament and Government united to England by sympathy and interest.

The Parliamentary history of the Union does not much concern us. Bribery, whether by titles, offices, or cash, had always been the normal means of securing a Government majority in the Irish House of Commons. Corruption was the only means of carrying the vote for the Union, and the time and labour needed for securing that vote are a measure of the rewards gained by those who formed the majority. Disgusting business as it was, we have to admit that a Parliament which refused to reform itself at the bidding of all that was best and healthiest in Ireland did, on its own account, deserve extinction. The sad thing is that the true Ireland was sacrificed.

Pitt and Castlereagh, though they plunged their hands deep in the mire to obtain the Union, quite honestly believed in the policy of the Union. They were wrong. They merely re-established the old ascendancy in a form, morally perhaps more defensible, but just as damaging to the interests of Ireland. In addition to absentee landlords, an alien and a largely absentee Church, there was now an absentee Parliament, remote from all possibility of pressure from Irish public opinion, utterly ignorant of Ireland, containing within it, for twenty-nine years, at any rate, representatives of only one creed, and that the creed of the small minority. Pitt had virtually pledged himself to make Catholic Emancipation an immediate consequence of the Union, and his Viceroy, Cornwallis, had thereby obtained the invaluable support of the Catholic hierarchy and of many of the Catholic gentry. The King, half mad at the time, refused to sanction the redemption of the pledge, and Pitt, to his deep dishonour, accepted the insult and dropped the scheme. Fitzgibbonism in its extreme

form had triumphed. It was a repetition of the perfidy over the Treaty of Limerick a century before. Indeed, at every turn of Irish history, until quite recent times, there seems to have been perpetrated some superfluity of folly or turpitude which shut the last outlet for natural improvement. It cannot be held, however, that the refusal of Emancipation for another generation seriously damaged the prospects of the Union as a system of government. After it was granted, the system worked just as badly as before, and in all essentials continues to work just as badly now. Inequalities in the Irish franchise were only an aggravation. In order to cripple Catholic power, Emancipation itself was accompanied in 1829 by an Act which disfranchised at a stroke between seven and eight tenths of the Irish county electorate, nor was it until the latest extension of the United Kingdom franchise, that is, eighty-five years after the Union, that the Irish representation was a true numerical reflection of the Irish democracy. But these were not vital matters. In the Home Rule campaigns of 1886 and 1893, Irish opinion, constitutionally expressed, was impotent. The vital matter was that the Union killed all wholesome political life in Ireland, destroyed the last chance of promoting harmony among Irishmen, and transferred the settlement of Irish questions to an ignorant and prejudiced tribunal, incapable of comprehending these questions, much less of adjudicating upon them with any semblance of impartiality.

The Legislative Union was unnatural. The two islands, near as they were to each other, were on different planes of civilization, wealth, and economic development, without a common tradition, a common literature, or a common religion. Each had a temperament and genius of its own, and each needed a different channel of expression. Laws applicable to one island were meaningless or noxious in the other; taxation applicable to a rich industrial island was inappropriate and oppressive for a poor agricultural island. And upon a system comprising all these incompatibilities there was grafted the ruinous principle of ascendancy.

There is nothing inherently strange about the difference between England and Ireland. Artificial land-frontiers often denote much sharper cleavages of sentiment, character, physique, language, history. A sea-frontier sometimes makes a less, sometimes a more, effective line of delimitation. Den-

mark and Sweden, France and England, are examples. Nor, on the other hand, did the profound differences between Ireland and England preclude the possibility of their incorporation in a political system under one Crown. We know, by a mass of experience from Federal and other systems, that elements the most diverse in language, religion, wealth, and tradition may be welded together for common action, provided that the union be voluntary and the freedom of the separate parts be preserved. The first conditions of a true union were lacking in the case of Ireland. The arrangement was not voluntary. It was accompanied by gross breach of faith, and it signified enslavement, not liberty.

A true Union was not even attempted. The Government of Ireland, in effect, and for the most part in form, was still that of a conquered Colonial Dependency. It was no more representative in any practical sense after the Union than before the Union. The popular vote was submerged in a hostile assembly far away. The Irish peerage was regarded rightly by the Irish people as the very symbol of their own degradation, the Union having been purchased with titles, and titles having been for a century past the price paid for the servility of Anglo-Irish statesmen. But the peerage, in the persons of the twenty-eight representatives sent to Westminster, still remained a powerful nucleus of anti-Irish opinion, infecting the House of Lords with anti-Irish prejudice, and often opposing a last barrier to reform when the opposition of the British House of Commons had been painfully overcome. In truth the cardinal reforms of the nineteenth century were obtained, not by persuasion, but by unconstitutional violence in Ireland itself. There was still a separate Executive in Ireland, a separate system of local administration, and until 1817 a separate financial system, all of them wholly outside Irish control. The only change of constitutional importance was that the Viceroy gradually became a figure-head, and his autocratic powers, similar to those of the Governor of a Crown Colony, were transferred to the Chief Secretary, who was a member of the British Ministry. Gradually, as the activity of Government increased, there grew up that grotesque system of nominated and irresponsible Boards which at the present day is the laughing-stock of the civilized world. The whole

patronage remained as before, either directly or indirectly, in English hands. If it was no longer manipulated in ways frankly corrupt, it was manipulated in a fashion just as deleterious to Ireland. Before, as after, the Union there was no public career in Ireland for an Irishman who was in sympathy with the great majority of his countrymen. To win the prizes of public life, judgeships, official posts, and the rest, it was not absolutely necessary to be a Protestant, though for a long time all important offices were held exclusively, and are still held mainly, by Protestants; but it was absolutely necessary to be a thoroughgoing supporter of the Ascendancy, and in thoroughgoing hostility to Irish public opinion as a whole. In other words, the unwritten Penal Code was preserved after the abolition of the written enactments, and was used for precisely the same pernicious purpose. It was a subtle and sustained attempt "to debauch the intellect of Ireland," as Mr. Locker-Lampson puts it, to denationalize her, and to make her own hands the instrument of her humiliation. The Bar was the principal sufferer, because now, as before, it was the principal road to humiliation. Fitzgibbons multiplied, so that for generations after the Union some of the ablest Irish lawyers were engaged in the hateful business of holding up their own people to execration in the eyes of the world, of combating legislation imperatively needed for Ireland, and of framing and carrying into execution laws which increased the maladies they were intended to allay.

Let nobody think these phenomena are peculiar to Ireland. In many parts of the world where Ascendancies have existed, or exist, the same methods are employed, and always with a certain measure of success. Irish moral fibre was at least as tough as that of any other nationality in resisting the poison.

But the results were as calamitous in Ireland as in other countries. No country can progress under such circumstances. The test of government is the condition of the people governed. Judged by this criterion, it is no exaggeration to say that Ireland as a whole went backward for at least seventy years after the Union. Even Protestant North-East Ulster, with its saving custom of tenant-right, its linen industry, and all the special advantages derived from a century of privilege, though it escaped the worst effects of the depression, suffered by

emigration almost as heavily as the rest of Ireland, and built up its industries with proportionate difficulty. Over the rest of Ireland the main features of the story are continuous from a period long antecedent to the Union. A student of the condition of the Irish peasantry in the eighteenth and in the first three-quarters of the nineteenth centuries can ignore changes in the form or personnel of government. He would scarcely be aware, unless he travelled outside his subject, that Grattan's Parliament ever existed, or that subsequently a long succession of Whig and Tory Ministers, differing profoundly in their political principles, had alternately sent over to Ireland Chief Secretaries with theoretically despotic powers for good or evil. These "transient and embarrassed phantoms" came and went, leaving their reputations behind them, and the country they were responsible for in much the same condition.

It is not my purpose to enter in detail into the history of Ireland in the nineteenth century, but only to note a few salient points which will help us to a comparison with the progress of other parts of the Empire. It is necessary to repeat that the basis upon which the whole economic structure of Ireland rested, the Irish agrarian system, was inconsistent with social peace and an absolute bar to progress. I described in Chapter I. how it came into being and the collateral mischiefs attending it. During the nineteenth century, by accident or design, these mischiefs were greatly aggravated. Until 1815 high war prices and the low Catholic franchise stimulated subdivision of holdings, already excessively small, and the growth of population. With the peace came evictions, conversions into pasture, and consolidation of farms. The disfranchisement of the mass of the peasantry which accompanied Emancipation in 1829 inspired fresh clearances on a large scale and caused unspeakable misery, with further congestion on the worst agricultural land. "Cottier" tenancy, at a competitive rent, and terminable without compensation for the improvements which were made exclusively by the tenant, was general over the greater part of Ireland. Generally it was tenancy-at-will, with perpetual liability to eviction. Leaseholders, however, were under conditions almost as onerous. The labourer, who was allowed a small plot, which

he paid for in labour, was in the worst plight of all. In addition, burdensome tithes were collected by an alien Church and rents were largely spent abroad. If Irish manufactures had not been destroyed, and there had been an outlet from agriculture into industry, the evil effects of the agrarian system would have been mitigated. As it was, in one of the richest and most fertile countries in the world the congestion and poverty were appalling. Competition for land meant the struggle for bare life. Rent had no relation to value, but was the price fixed by the frantic bidding of hungry peasants for the bare right to live. The tenant had no interest in improving the land, because the penalty for improvement was a higher rent, fixed after another bout of frantic competition.

"Almost alone amongst mankind," wrote John Stuart Mill,* "the cottier is in this condition, that he can scarcely be either better or worse off by any act of his own. If he were industrious or prudent, nobody but his landlord would gain; if he is lazy or intemperate, it is at his landlord's expense. A situation more devoid of motives to either labour or self-command, imagination itself cannot conceive. The inducements of free human beings are taken away, *and those of a slave not substituted.* He has nothing to hope, and nothing to fear, except being dispossessed of his holding, and against this he protects himself by the *ultima ratio* of a defensive civil war. Rockism and Whiteboyism were the determination of a people, who had nothing that could be called theirs but a daily meal of the lowest description of food, not to submit to being deprived of that for other people's convenience.

"Is it not, then, a bitter satire on the mode in which opinions are formed on the most important problems of human nature and life, to find public instructors of the greatest pretension imputing the backwardness of Irish industry, and the want of energy of the Irish people in improving their condition, to a peculiar indolence and insouciance in the Celtic race? Of all vulgar modes of escaping from the consideration of the effect of social and moral influences on the human mind, the most vulgar is that of attributing the diversities of conduct and character to inherent natural differences."

The "civil war" referred to by Mill as the *ultima ratio* of

* "Principles of Political Economy," vol. ii., p. 392.

the cottier tenant went on intermittently for ninety years of the nineteenth century, as it had gone on during the eighteenth century, and was met by coercive laws of the same general stamp. Until Mr. Gladstone took the question in hand in 1870, no reformer could get a hearing in Parliament. Bill after Bill, privately introduced, met with contemptuous rejection in favour of some senseless measure of semi-military coercion. There can, I believe, be no doubt that responsible Irish opinion, made effective, would have grappled with the evil firmly and conscientiously. Until the peasant class was driven to the last pitch of desperation, their leaders did not conceive, and, indeed, never wholly succeeded in implanting, the idea of a complete overthrowal of landlordism. The peasant was not unwilling to pay rent. He had, and still has, a deep, instinctive respect for a landed aristocracy, and was ready, and is still ready, to repay good treatment with an intensity of devotion difficult to parallel in other parts of the United Kingdom. In that veritably cataclysmic dispersion of the Irish race which ensued upon the great famine, rent continued to be paid at home out of sums remitted from relatives in America. No less than nineteen millions of money were thus remitted, according to the Emigration Commissioners of 1863, between 1847 and that date. The Roman Catholic Church, as in every part of the world, was strongly on the side of law and order, and, indeed, on many occasions stepped in to condemn disorder legitimately provoked by intolerable suffering. The wealthy and educated landlord class, face to face in a free Parliament with the tenant class, including, be it remembered, the Ulster Protestant tenants, with grievances less acute in degree, but similar in kind, would have consented to meet reform halfway under the stimulus of patriotism and an enlightened self-interest. Against the great majority of Irish landlords there was no personal charge. They came into incomes derived from a certain source under ancient laws for which they were not responsible. But, acting through the ascendancy Parliament far away in London, they remained, as an organized class—for we must always make allowance for an enlightened and public-spirited minority—blind to their own genuine interests and to the demands of humane policy. Their responsibility was transferred to English statesmen, who were not fitted, by temperament or

training, to undertake it, and who always looked at the Irish land question, which had no counterpart in England, through English spectacles. We cannot attribute their failure to lack of information. At every stage there was plenty of unbiassed and instructed testimony, Whig and Tory, Protestant and Catholic, independent and official, as to the nature and origin of the trouble. Mill and Bright, in 1862, only emphasized what Arthur Young had said in 1772, and what Edward Wakefield, Sharman Crawford, Michael Sadler, Poulett Scrope, and many other writers, thinkers, and politicians had confirmed in the intervening period, and what every fair-minded man admits now to be the truth. Commission after Commission reported the main facts correctly, if the remedies they proposed were inadequate. The Devon Commission, reporting in 1845, on the eve of the great famine, condemned the prevalent agrarian tenure, and recommended the statutory establishment of the Ulster custom of tenant right. A very mild and cautious Bill was introduced and dropped.

Next year came the famine, revealing in an instant the rottenness of the economic foundations upon which the welfare of Ireland depended. The population had swollen from four millions in 1788 to nearly eight and a half millions in 1846, an unhealthy expansion, due to the well-known law of propagation in inverse ratio to the adequacy of subsistence. What happened was merely the failure of the potato-crop, not a serious matter in most countries, but in Ireland the cause of starvation to three-quarters of a million persons, and the starting-point of that vast exodus which in the last half of the nineteenth century drained Ireland of nearly four million souls. The famine passed, and with it all recollection of the report of the Devon Commission. Hitherto most of the land legislation had been designed to facilitate evictions. Now came the Encumbered Estates Act of 1849, whose purpose was to facilitate the buying out of bankrupt Irish landlords, and whose effect was to perpetuate the old agrarian system under a new set of more mercenary landlords, pursuing the old policy of rack-rents and evictions. In the three years 1849-1852, 58,423 families were evicted, or 306,120 souls. Aroused from the stupor of the famine, the peasants had to retaliate with the same old defensive policy of outrage. Peace-

ful agitation was of no use. The Tenant League of North and South, formed in 1852, claimed in vain the simplest of the rights granted under pressure of violence in 1870 and 1881.

Violence, indeed, was the only efficient lever in Ireland for any but secondary reforms until the last fifteen years of the century, when a remedial policy was spontaneously adopted, with the general consent of British statesmen and parties. Fear inspired the Emancipation Act of 1829, which was recommended to Parliament by the Duke of Wellington as a measure wrong in itself, but necessary to avert an organized rebellion in Ireland. Tithes, the unjust burden of a century and a half, were only commuted in 1838, after a Seven Years' War revolting in its incidents. Mr. Gladstone admitted, and no one who studies the course of events can deny, that without the Fenianism of the sixties, and the light thrown thereby on the condition of Ireland, it would have been impossible to carry the Act—again overdue by a century—for the disestablishment of the Irish Church in 1869, or the Land Act, timid and ineffectual as it was, of 1870. Without the organized lawlessness of the Land League it would have been equally impossible to bring about those more drastic changes in Irish land tenure which, amidst storms of protest from vested interests affected, were initiated under the great Land Act of 1881, and, after another miserable decade of crime and secret conspiracy, extended by the Acts of 1887, 1891, and 1896.

Briefly, the effect of these Acts was to establish three principles: a fair rent, fixed by a judicial tribunal, the Land Commission, and revisable every fifteen years; fixity of tenure as long as the rent is paid; and free sale of the tenant-right.

The remedy eventually brought widespread relief, but, from a social and economic standpoint, it was not the right remedy. There is no security for good legislation unless it be framed by those who are to live under it. Constructive thought in Ireland for the solution of her own difficulties and the harmonizing of her own discordant elements had been systematically dammed, or diverted into revolutionary excesses, which, in the traditional spirit of Fitzgibbonism, were made the pretext for more stupid torture. Thus, O'Connell, whose attachment to law was so strong that in 1843, when the Repeal agitation had reached seemingly irresistible proportions, he deliberately restrained it,

was tried for sedition. So, too, were dissipated the brilliant talents of the Young Ireland group and the grave statesmanship of Isaac Butt. Fits intervened of a penitent and bungling philanthropy which has left its traces on nearly all Irish institutions. For example, it was decided in 1830 that the Irish must be educated, and a system was set up which was deliberately designed to anglicize Ireland and extirpate Roman Catholicism. Four years later, in defiance of Irish opinion, a Poor Law pedantically copied from the English model was applied to Ireland. The railway system also was grossly mismanaged. And so with the land. When reform eventually came, the evil had gone too far, and it was beyond the art of the ablest and noblest Englishmen, inheriting English conceptions of the rights of landed property, to devise any means of placing the relations between landlord and tenant in Ireland, inhuman and absurd as they were, on a sound and durable basis. The dual ownership set up by the Land Acts was more humane, but in some respects no less absurd and mischievous. It exasperated the landlord, while, by placing before the tenant the continual temptation of further reductions in rent, it tended to check good cultivation.

Men came to realize at last that the complete expropriation of the landlords through the State-aided purchase of the land was the only logical resource, and this process, begun tentatively and on a very small scale as far back as 1870, under the inspiration of John Bright, and extended under a series of other Acts, was eventually set in motion on a vast scale by the Wyndham Act of 1903.

I leave a final review of Purchase and of other quite recent remedial legislation, as well as the far more important movements for regeneration from within, to later chapters. Meanwhile, let us pause for a moment and pronounce upon the political system which made such havoc in Ireland. All this havoc, all this incalculable waste of life, energy, brains, and loyalty, was preventable and unnecessary. Ethics and honour apart, where was the common sense of the legislative Union? Would it have been possible to design a system better calculated to embitter, impoverish, and demoralize a valuable portion of the Empire?

Let us now turn our eyes across the Atlantic, and observe the effects of an Imperial policy founded on the same root idea.

CHAPTER V

CANADA AND IRELAND

In comparing the history of Canada with the closely allied history of Ireland, we must bear in mind that in the last half of the eighteenth century the present British North America consisted of three distinct portions: Acadia, or the Maritime Provinces, which we now know as Newfoundland, Nova Scotia, New Brunswick and Prince Edward Island, colonized originally by a few Frenchmen and later by Scotch and Irish; Lower Canada, extensively colonized by the French, which we now know as the Province of Quebec; and Upper Canada, which we now know as Ontario, colonized last of all by Americans under circumstances to be described.

In 1763, before the repeal of any part of the Penal Code against Irish Roman Catholics, the French Catholic Colony of Lower Canada, with a population of about seventy thousand souls and the two small towns of Quebec and Montreal, passed definitely into British possession under the Treaty of Paris, which brought to a conclusion the Seven Years' War. Fortunately, there was no question, as in Ireland, of expropriating the owners of the soil in favour of State-aided British planters, and hence no question of a Penal Code, even on the moderate scale current in Great Britain at the same period. On the contrary, it became a matter of urgent practical expediency to conciliate the conquered Province in view of the growing disaffection of the American Colonies bordering it on the South. This disaffection, assuming ominous proportions on the enactment of the Stamp Act in 1765, was itself an indirect result of the conquest of Canada a few years before; for the claim to tax the Americans for Imperial purposes arose from the enormous expense of the war of conquest and of the subsequent charges for defence and upkeep. It was forgotten that

American volunteers had captured Louisburg in 1745, and had borne a distinguished part in later operations, and that to lay a compulsory tax upon them would banish glorious memories common to America and Britain. Henceforward, conquered French Canada was made a political bulwark against rebellious America. The French colonists, a peaceable, primitive folk, as attached to their religion as the Irish, and devoted mainly to agriculture, retained, as long as they desired it, the old French system of law known as the Custom of Paris and the free exercise of their religion. Like the Irish, they were strongly monarchical and strongly conservative in feeling, and as impervious to the Republican propaganda emanating from their American neighbours as the Catholic Irish always at heart remained to the revolutionary principles of Wolfe Tone's school. Unmolested in their habits and possessions, they philosophically accepted the transference from the Bourbon to the Hanoverian dynasty, and became an indispensable source of strength to George III. when that monarch was using his German troops to coerce his American subjects and his British troops to overawe the Ulster Volunteers.

In 1774, immediately before the outbreak of a war against which Ireland was protesting, and in which, with the soundest justification, the Irish-Americans, Catholic and Protestant, took such a prominent part against the British arms, the Quebec Act was passed giving formal statutory sanction to the Catholic religion, and setting up a nominated legislative Council, whose members were subject to no religious test. In Ireland it was not till six years later, and, as we have seen, by means of precisely the same pressure—British fear of America—that the Irish Protestant Volunteers obtained the abolition of the test for Dissenters, while Catholics in Ireland were still little more than outlaws, and had to wait for nearly sixty years for complete emancipation. The result of the Quebec Act, together with the sympathetic administration of that great Irishman, Sir Guy Carleton, was the firm allegiance of the French Province in spite of an exceedingly formidable invasion, during the whole of the American War, and even after the intervention of European France. It is part of the dramatic irony of these occurrences that some of the invading army was composed of Morgan's Irish-American riflemen, and

that one of the two joint leaders of the invasion was the Irish-American, General Richard Montgomery, who fell at the unsuccessful assault of Quebec on December 31, 1775.

In spite of Burke's noble appeal in the House of Commons, toleration in the abstract had nothing to do with the treatment of the French Catholics. British Catholics in the neighbouring Prince Edward Island were denied all civil rights in 1770, and only gained them in 1830. In England, the Quebec Act with difficulty survived a storm of indignation, in which even Chatham joined. The small minority of British settled in Quebec and Montreal made vehement protests, while the American Congress itself in 1774 committed the irreparable blunder of making the establishment of the Roman Catholic religion in Canada one of its formally published grievances against Great Britain. When war broke out, and the magnitude of the mistake was seen, efforts were made to seduce the Canadians by hints of a coming British tyranny, but the Canadians very naturally abode by their first impressions.

The peace of 1783 and the final recognition of American Independence led to results of far-reaching importance for the further development of the British Empire. Out of the loss of the American Colonies came the foundation of Australia and of British Canada. Before the war it had been the custom to send convicts from the United Kingdom to penal settlements in the American Colonies. The United States stopped this traffic. Pitt's Government decided, after several years of doubt and delay, to divert the stream of convicts to the newly acquired and still unpopulated territory of New South Wales, made known by the voyages of Captain Cook and Sir Joseph Banks. At the same period a very different class of men, seeking a new home, were thrown upon the charity of the British Government. These were the "United Empire Loyalists," as they styled themselves, some 40,000 Americans, with a sprinkling of Irishmen among them, such as Luke Carscallion, Peter Daly, Willet Casey, and John Canniff,* who had fought on the Royalist side throughout the war, and at the end of it found their fortunes ruined and themselves the objects of keen resentment. Pitt, with a "total lack of Imperial imagination,"

* "The Irishman in Canada" (N. F. Davin), a book to which the author is indebted for much information of the same character.

as Mr. Holland Rose puts it,* does not seem to have considered the plan of colonizing Australia with a part of these men, 433 of whom were reported to be living in destitution in London three years after the war. No more alacrity was shown in relieving the distress of those still in America. In 1788, however, a million and a quarter pounds were voted by Parliament for relief, and large grants of land were made in Canada, whither most of the Loyalists had already begun to emigrate. Some went to the Maritime Provinces, notably to the region now known as New Brunswick; a few went to the towns of the Quebec Province, for the country lands on the lower reaches of the St. Lawrence were already monopolized by the French "habitants"; the rest, estimated at 10,000, to the upper reaches of the St. Lawrence and along the shores of the Lakes Ontario and Erie, in short, to what we now know as the Province of Ontario, and to what then became known as Upper Canada.

From this moment the three Canadas gain sharp definition. To the west Upper Canada, exclusively American or, as we must now say, British in character; next to the east, and cutting off its neighbour from the sea, the ancient Province of Lower Canada, predominantly French, with a minority of British traders in the two towns Quebec and Montreal; last of all the Maritime Provinces, small communities with an almost independent history of their own, although, like Upper and Lower Canada, they eventually presented a problem similar fundamentally to the Irish problem on the other side of the Atlantic. Prince Edward Island is the closest parallel, for, besides the Catholic disabilities of 1770, in 1767 the whole of its land had been granted away by ballot in a single day to a handful of absentee English proprietors, who sublet to occupiers without security of tenure, with the result that a land question similar to that of Ireland arose, which inflamed society and retarded the development of the island for a whole century. Ultimately, moreover, statesmen were driven to an even more drastic solution—compulsory and universal State-aided land purchase.† Before the period we have now reached,

* "William Pitt and the National Revival."

† Canadian Archives, 1905; "History of Prince Edward Island," D. Campbell; "History of Canada," C. D. G. Roberts. In 1875, after a long period of agitation and discontent, the Land Purchase Act was passed, and the

Nova Scotia and Prince Edward Island, which was carved out of it, had been given rude systems of representative Government, and New Brunswick, also at one time a part of Nova Scotia, received a Constitution in 1784.

The great question after the American War was how to govern the two contiguous Provinces of Upper and Lower Canada, the one newly settled by men of British race and Protestant faith, the other also under the British flag, but overwhelmingly French and Catholic, both, in the critical half-century to come, to be reinforced by immigrants from the Old World, and to a large extent from misgoverned Ireland. But let the reader once and for all grasp this point, that, once out of Ireland, there ceases, not immediately, but in course of time, to be any racial or political distinction between the different classes of Irishmen, whose antagonism at home, artificially provoked and fomented by the bad form of government under which they lived, so often made Ireland itself a very hell on earth. I want to dwell on this point in order to avoid confusion when I speak of the bi-racial conditions of Lower Canada and Ireland respectively.

To return to the question of Government. The American Colonies were lost. Here in Canada was an opportunity for a new Imperial policy, better calculated to retain the affections of the colonists. Three distinct problems were involved:

1. Was French or Lower Canada, with its small minority of British, to be given representative Government at all?

2. If so, was it to be left as a separate unit, or was it to be amalgamated in a Union with its neighbour, Upper Canada?

3. Whichever course was taken, what was to be the relation between the Home Government and Canada?

All these questions arise in the case of Ireland itself, and the parallel in each case is interesting. In Canada they were determined for the space of half a century by the Constitutional Act of 1791, passed at the period when Grattan's unreformed Parliament was hastening to its fall, and Wolfe Tone was founding his Society of United Irishmen. Let us take in turn the three questions posed above.

Dominion Government asked Mr. Hugh Childers to adjudicate on the land-sale expressly on the ground that he had been associated with the Irish Land Act of 1870 ("Life of Mr. Childers," by Lieut.-Col. Spencer Childers, vol. i., p. 282).

1. The British minority in Lower Canada, supported by a corresponding school in England, were strong for an undisguised British ascendancy, without any recognition of the French. They urged, what was true, that the French were unaccustomed to representative government, and implied, what was neither true nor politic, that they could not, and ought not to, be educated to it. If there was to be an Assembly at all, it should, they claimed, be wholly British and Protestant, or, in the alternative, the Protestant minority only should be represented at Westminster. In other words, they wished either for the pre-Union Irish system or for the post-Union Irish system, both of them, as time was just beginning to prove, equally disastrous to the interests of Ireland. We are not surprised to find these ideas supported by the Irishman Burke, in whom horror of the French Revolution had destroyed the last particle of Liberalism. If Pitt lacked "Imperial imagination," he knew more than most of his contemporaries about the elementary principles of governing white men. It was only a few years before that he had urged upon his Irish Viceroy, Rutland, a reform of the Irish Parliament which might have united the races and averted all the disasters to come, and in this very year (1791) he was pressing forward the Catholic franchise in Ireland. The French in Canada must, he said, be represented in a popular Assembly equally with the British, and on the broadest possible franchise, and they were.

2. The next question was that of the union or separation of Upper and Lower Canada. Here, and from the same underlying motive, the British minority in Lower Canada were for the Union, partly on commercial grounds, but mainly as a step in the direction of overcoming French influence. Upper Canada, wholly British, was, on the whole, neutral. Pitt, on high principle, again took correct ground. He did not, indeed, foresee that separation, for geographical reasons, would cause certain inconveniences; but he did understand—and experience in both Provinces ultimately proved him right—that it was absolutely hopeless to try and avert social and racial discord by artificially swamping the French element. He declared, then, for the separation of the two Canadas into two distinct Provinces. Note the beginnings of another, though a

distant, analogy with the relations of Ireland and Great Britain, distant because the French at this time largely outnumbered the British of both Provinces, and in after-years maintained something very near a numerical equality. But the same underlying principle was involved. Pitt, in the Legislative Union of Ireland and Great Britain nine years later, constructed without geographical necessity, indeed, in defiance of geography and humanity, the very system which, in a form by comparison almost innocuous, he had condemned for Canada; but not, we must in fairness remember, before doing his part at an earlier date to arrive at a solution which, given a fair chance, would have rendered the Union of Ireland and England unnecessary.

3. So far, good. But there still remained a further question far transcending the other in importance—What was to be the relation between the Home Government and the new Colonies? Here all British intellects, that of Fox alone excepted, were as much at a loss as ever. One simple deduction was made from what had happened in America, namely, that the new Colonies must not be forced to contribute to Imperial funds by taxes levied from London. That claim had already been abandoned in 1778 by the Colonial Tax Repeal Act, which nevertheless expressly reserved the King's right to levy "such duties as it may be expedient to impose for the regulation of commerce," the sum so raised to be retained for the use of the Colony. No one made the more comprehensive deduction, even in the case of wholly British Upper Canada, that Colonial affairs should be controlled by Colonial opinion, constitutionally ascertained, and that the British Governor should act primarily through advisers chosen by the majority of the people under his rule. We must bear in mind that, had Grattan's Parliament been reformed, and the warring races in Ireland been brought into harmony, it would still have had to pass through the crucial phase of establishing its right to choose Ministers by whose advice the Lord-Lieutenant should be guided, that is, if it were to become a true Home Rule Parliament of the kind we aim at to-day.

From the date of the Constitutional Act passed for Canada in 1791, it took fifty-six troubled years and an armed rebellion in each Province to establish the principle of what we call

"responsible Government" for Canada, and, through Canada, for the rest of the white Colonies of the Empire. During these fifty-six years, which correspond in Irish history to a period dating from the middle of Grattan's Parliament down to the great Famine, ascendancies, with the symptoms of disease which always attended ascendancies, grew up in Canada, as they had in Ireland, in spite of conditions which were far more favourable in Canada to healthy political growth. Canada started with this great advantage over Ireland, that instead of a corrupt parody of a Parliament, each of her Provinces, under the Constitutional Act of 1791, had a real popular Assembly, elected without regard to race or religion. It was the Upper House or Legislative Council, as it was called, that interposed the first obstacle to the free working of popular institutions. In both Provinces this Council was nominated by the Governor, and could be used, and was naturally used, to represent minority interests and obstruct the popular assembly. Fox had correctly prophesied that it would soon come "to inspire hatred and contempt." But he did not mean that such a chamber was in itself an insuperable bar to harmony. Nominated or hereditary second chambers are not necessarily inconsistent with popular government, provided that the Executive Government itself possesses the confidence of the representative Assembly. Under that lever, obstruction eventually gives way. But this idea of a tie of confidence between the Governors and the governed was exactly what was lacking.

The Executive Council in each Province was also chosen by the British Governor or Lieutenant-Governor, generally a military man, from persons representing either his own purely British policy or the ideas of a privileged colonial minority, and without regard to the wishes or opinions of the Colonial Assembly, just as the Executive officers in Ireland, both before and after the Union, were chosen out of corresponding elements by the Lord-Lieutenant or Chief Secretary, acting under the orders of the British Government, and without any regard to the wishes or opinions of the majority of Irishmen. Behind all, in remote Downing Street stood the British Government, in the shape of the Colonial Office for Canada and the Irish Office for Ireland, both working in dense ignorance of the real

needs of the countries for which they were responsible, and permeated with prejudice and pedantry. To complete the parallel, there was now a foreign Power in the close neighbourhood of each dependency, the United States in the case of Canada, France in the case of Ireland, both of them Republican Powers, and both able and willing to take advantage of disaffection in the dependencies in order to further a quarrel with the Mother Country. We have seen the results in Ireland. Let us now observe the results in Canada, taking especial care to notice that an ascendancy Government gives rise to the same type of evil in a uni-racial as in a bi-racial community.

Let us glance first at what happened in Upper Canada, which was uni-racial, that is, composed of settlers from the United Kingdom (including Ireland) and America. Here the original settlers, the "United Empire Loyalists" from America, formed from the first, and maintained for half a century, an ascendancy of wealth and religion over the incoming settlers, who soon constituted the majority of the population. As in Ireland, though in a degree small by comparison, there was a land question and a religious question, closely related to one another. Happily, it was not a case of robbery, but of simple monopoly. Excessively large grants of land, nine-tenths of which remained uncultivated, were obtained by the original settlers, most of whom were Episcopalian in faith, and, under the Act of 1791, further tracts of enormous extent, which for the most part lay waste and idle, were set apart in each township, under the name of "Clergy Reserves" for the Episcopalian Church. Since the majority of the incoming settlers were Presbyterians, Methodists, Baptists, or Roman Catholics, many of them from the Protestant and Catholic parts of Ireland, some from America, some even from Germany, these conditions caused intense irritation, checking both the development of the country and the growth of solid character among the colonists. Absentee ownership was a grave economic evil, though happily it was not complicated and embittered by a vicious system of tenure. Education suffered severely through the diversion of the income from public lands to private purposes.

The ascendancy was maintained on lines familiar in Ireland —through the mutual dependence of the colonial minority and

the Home Government acting through its Governor. A few leading Episcopalian families from among the United Empire Loyalists, installed at Toronto, with the support of a succession of High Tory Lieutenant-Governors, monopolized the Executive Council, the Legislative Council, the Bench, the Bar, and all offices of profit, denying a Canadian career to the vast majority of Upper Canadians, just as Irishmen were excluded from an Irish career. For a long time the Assembly itself, which retained its original Constitution long after the influx of immigrants had rendered necessary its enlargement on a new electoral basis, was a subject of monopoly also. Even when enlarged in 1821 it was helpless against the nominated Council and Executive, backed by Downing Street. The oligarchy came to be known by the name of the "family compact," and, as the reader will observe, it bore a close resemblance in form to the "undertaker" system in Ireland before the Union, and to the monopoly of patronage obtained by certain families, notably the Beresfords.

While the Colony was still small, the system worked tolerably well; but from the second decade of the nineteenth century onwards, when the population grew from 150,000 to 250,000 in 1832, and to 500,000 a few years later, and the Episcopalians sank into a numerical minority as low as a quarter, troubles of the Irish type became proportionately acute. The Colony was in reality perfectly content with its position under the Crown, and in the war with America in 1812 all classes and creeds united to repel invasion with enthusiasm. One of the prominent leaders was an Irishman, James Fitzgibbon, and a poor Irish private, James O'Hara, won fame by refusing to surrender at the capture of Toronto Fort. As usual, however, a fictitious standard of "loyalty," which, in fact, meant privilege, was set up, obscuring those questions of good government which were the only real matters at issue in Canada, as in Ireland. There were Republican immigrants of many denominations from America, Radicals of Cobbett's school from England and Scotland, tenants of a democratic turn from Ulster, and a growing stream of Catholic cottiers flying from the "clearances" and tithe war in other Irish Provinces. All these classes of men made excellent settlers, and only wanted fair and equal treatment to make them perfectly peaceable citizens.

To the official oligarchy, however, even their moderate leaders came to be viewed as rebels, and were often subjected to imprisonment or to banishment.

Among others William Gourlay, a Scotsman, Stephen Willcocks and Francis Collins, Irishmen, all three perfectly respectable reformers, suffered in this way. Bidwell, the great Robert Baldwin, and other good men were rendered powerless for good. As invariably happens in any part of the world where a course is pursued which estranges moderate men and embitters extreme men, agitators came to the front lacking that self-control and sense of responsibility which the sobering education of office alone can give, and generally ruining themselves while they benefit humanity at large. Chief of these was W. L. Mackenzie, a Presbyterian Scot from Dundee. All this man really wanted was what exists to-day as a matter of course in all self-governing countries—responsible government. He even conceived that great idea of the Confederation of British North America, which came to birth in 1867. Thwarted in his attacks on the oligarchy, he degenerated into violent courses, and ultimately organized, or rather was provoked into organizing, the rebellion of 1837. The grievances which led to this outbreak were genuine and severe, and were all in course of time admitted and redressed. One, the powerlessness of the Assembly, owing to the control by the Executive of annual sums sufficient to pay the official expenses of Government, corresponded to a pre-Union Irish grievance, and was remedied by an Act of 1831. Most of the other grievances were incurable by constitutional effort. They may be found summarized in the "Seventh Report of Grievances," a temperate and truthful document drawn up by a Committee of the Assembly in 1835. The huge unsettled Clergy Reserves and Crown Lands were the worst concrete abuse, and matters had just then been aggravated by the sudden establishment of scores of sinecure rectories. Jobbery, maladministration, and the dependence of the judges on the Executive were other complaints; but the main assault was made quite rightly on the form of the Colonial Government, which rendered peaceful reform of any abuse as impossible as in Ireland, and the cardinal claim was that the Executive should act, not under the dictation of Downing Street, of an irresponsible Governor, or of a narrow colonial

oligarchy, but in accordance with popular opinion. Mackenzie's rebellion of 1837 was a no more formidable affair than the similar efforts in Ireland made under incomparably greater provocation by Emmett in 1803 and Smith O'Brien in 1848, and was as easily suppressed; but, unlike the Irish outbreaks, and in conjunction with a revolt arising in the same year and from similar causes in the adjoining Province of Lower Canada, it led to a complete change of system.

In Lower Canada the same preposterous system of government was aggravated by the presence of the two races, French and English. Yet there was nothing inherently dangerous or unwholesome about this situation. The French, like the Catholics in Ireland, never showed the smallest tendency towards religious intolerance, nor were they less loyal at heart than the Radicals of Upper Canada or the Tories of either Province. They took the same energetic part in repelling the American invasion of 1812, and produced at least one remarkable leader in the person of Colonel Salaberry, who commanded the French-Canadian Voltigeurs. Like their co-religionists in Ireland, they were temperamentally averse to Republicanism in any shape, whether on the American model over the border or on the model of revolutionary France, where Republicanism since 1793 was anti-Catholic and the result of miseries and oppressions as bad as those in Ireland; whence, moreover, many priests and nobles fled from persecution to Lower Canada. As in eighteenth-century Ireland, we find that the Roman Catholic clergy, the *seigneurs* or aristocrats, and the *habitants* or peasants, were of a Conservative cast, throwing their weight, often even against their own interests, into the scale of the established Government, while the lawyers and journalists alone produced determined agitators. The racial cleavage, moreover, as in Ireland, was artificially accentuated by the political system. There was in reality a strong community of interest between the British lower class and the French lower class against the tyranny of an official clique, and to the end a substantial number of Englishmen worked with the French for reform; but with the failure of their efforts came that inevitable tightening of the bonds of race, even against interest, which we have seen operating with such lamentable effect in Ireland. And, as in Ireland, we find the best instincts

of the people withered and perverted into rebellion by "Fitzgibbonism," the policy of distrust and coercion.

The British official ascendancy, supreme from the first, became extraordinarily rigid. The Executive Council and Legislative Council were almost entirely British, the Assembly overwhelmingly French. There were no regular heads of departments, so that the Governor had no skilled advice, much less responsible advice. The Councils blocked all legislation they disliked, and for more than forty years, by means of unrestricted control over a large part of the provincial revenues, were able to defy the Assembly. It will be observed that, although Ireland never had anything worth calling an Assembly, her structure both before and after the Union was essentially the same, in that Irish public opinion, whether voiced by the Volunteers against the unreformed Parliament or after the Union by the Nationalist party at Westminster, was powerless. The existence of a popular Assembly in Canada only made the anomalies more obvious.

There were, of course, marked divergencies of character and less marked divergencies of interest between the French majority and the British minority in Canada. The French, by comparison, were a backward and conservative race, less well educated and less progressive and energetic both in agriculture and commerce than the British. On the other hand, subsequent experience showed that, under free constitutional government, British intelligence, wealth, and energy would, here as elsewhere, have preserved their full legitimate influence. Under a system which throttled French ideas and aspirations, and treated the most harmless popular movements as treasonable machinations, deadlock and anarchy were in the long run inevitable.

The popular demands were much the same as those in Upper Canada: control of the purse, the independence of the judges, an elective Legislative Council, and a curtailment of the arbitrary powers and privileges of the Executive, which led to gross jobbery, favouritism, and extravagance. As in Upper Canada, the greatest practical grievance, though it assumed a somewhat different form, was the disposal of the public lands. Here, too, there were extensive and undeveloped Clergy Reserves for the Episcopalian Church, as well as free

grants on a large scale to speculators. The estates of the Jesuit Order had been confiscated, so that disputes about their disposal were tinged with religious bitterness. But most of the friction over the land question came from the operations of a chartered land company, which, under the protection of the Government, and with financial and political support from England, dealt with the unsettled land in a manner very unfair and often corrupt, and promoted here, as in Upper Canada and Ireland, absentee ownership.

The popular agitation ran the same course as in Upper Canada, reached its crisis at the same moment, threw into prominence the same types of men, moderate and extreme, and produced the same waste of good human material and distortion of human character, both in the ascendant and the subject classes. As Sir John Cockburn tells us in his "Political Annals of Canada" (p. 177), some of the most incendiary speakers and writers (in 1836) were "most able and worthy men, who in the subsequent days of tranquillity occupied most prominent and distinguished positions in the public service, revered as loyal, true, and able statesmen by all classes." The popular movement was by no means wholly French. A Scot, John Neilson; an Englishman, Wilfred Nelson; and an Irish journalist, Dr. O'Callaghan, were prominent members of a kind of Radical party; but the ablest and most influential among the agitators, and in every respect more admirable than Mackenzie, was the Frenchman, Louis Papineau, who first became Speaker of the Assembly in 1817, and retained that high position until the verge of the rebellion of 1837. By no means devoid of superficial faults, but eloquent, honest, accomplished and adored by his compatriots, here was a man who, if he had been given reasonable scope for his talents, and steadied by official responsibility, would have been a tower of strength to the Colony and the British connection. He corresponds in position and aims, and to a certain extent in character and gifts, to his great Irish contemporary, O'Connell. But O'Connell was too conservative to produce great results. Papineau, dashing himself in vain for twenty years against the entrenched camp of the ascendancy, finally degenerated, like Mackenzie, into a commonplace rebel.

The phases through which the agitation passed before it

reached this disastrous point need only a brief review. Naturally enough, owing to the bi-racial conditions, friction had arisen earlier in Lower than in Upper Canada, yet the first recognition of the flagrant defects of the Constitution was not made till 1828, when a Committee of the British House of Commons published a Report which, though its recommendations were mild and inadequate, was in effect a censure of the whole political system of the Province and an admission of the justice of the agitation. There was no result for four years, while matters went from bad to worse in the Colony. At last, in 1832, under an Act similar to that passed for Upper Canada, all the provincial revenues were placed under the control of the Assembly in return for the voting of a fixed Civil List. This well-meant half-measure made matters worse, because it left the Assembly just as powerless as before over the details of legislation and administration, while giving it the power to paralyze the Government by refusing all, instead of only part, of the supplies. This it proceeded to do, and in the next five years large deficits were piled up, and the Colony became insolvent.

Meanwhile, in February, 1834, a year before the publication of the "Seventh Report of Grievances" in Upper Canada, and three months before O'Connell's celebrated motion in the House of Commons for the Repeal of the Union between England and Ireland, the Assembly of Lower Canada, at Papineau's instance, passed the equally celebrated "Ninety-two Resolutions." Bombastic and diffuse, like parts of O'Connell's speech, this historic document nevertheless was as true in all really essential respects as Mackenzie's manifesto and as O'Connell's tremendous indictment of the system of Government in Ireland. All three men, O'Connell with far the most justification, demanded the same thing, good government for their respective countries under a responsible Parliament and Ministry. They all occasionally used wild language, O'Connell the least wild. O'Connell, who nine years later deliberately quenched a popular revolt he could have headed, failed in his aim as completely as Tone, Emmett, and Smith O'Brien, who pressed their efforts to the point of violence. Mackenzie and Papineau, who took to arms, succeeded in their aim.

The crisis in Lower Canada was precipitated, and, indeed, provoked, by a challenge thrown out in March, 1837, from the British House of Commons, where, at Lord John Russell's instance, the Ten Resolutions were agreed to, which amounted in effect to a denial of all the colonial claims and a declaration of war upon those who made them. Papineau had to eat his words or make them good, and he chose the latter course. His insurrection was arranged in concert with that of the Upper Province, broke out simultaneously in the winter of 1837, and was extinguished with little difficulty. The men who made it suffered. Canada and the Empire profited. Both Papineau and Mackenzie, following the precedent of Wolfe Tone with France, endeavoured with little success to engage American sympathy and the aid of her army, though Canada had as little desire for American rule as Ireland had for French rule.

Let us remark, as an interesting fact for those who imagine that Irishmen are always instinctively on the side of turbulence and disorder, that the Irish immigrants who poured into Canada at the average annual rate of 20,000 in the years—terrible years in Ireland—preceding the rebellions,* acted much as we might expect. In the Lower Province, following the lead of the French Catholic hierarchy, they declared in November, 1837, against Papineau's party, and thus strengthened the hands of the Government when the crisis approached.† In the Upper Province Catholics were strongly on the side of reform, but took no part in the rebellion. Orangemen in both Provinces, as we might guess, sided as strongly with the ascendancy parties, but colonial air seems to have taken some of the theological venom out of Orangeism. If Charles Buller is to be trusted, some Catholics joined the societies in Upper Canada, which were more Tory than religious, and the healths of William of Orange and the Catholic Bishop Macdonnell were drunk in impartial amity.‡

In the meantime, three of the four outlying Provinces of

* Canadian Archives, 1900. Note B. Emigration (1831-1834). Irish immigrants in 1829, 9,614; in 1830, 18,800; in 1831, 34,155; in 1832, 28,024; in 1833, 12,013; in 1834, 19,206: about double the immigration of English and Scottish together in the same period.

† "Self-government in Canada," F. Bradshaw, p. 96 *et seq.*

‡ "Durham Report," p. 180.

North America—Nova Scotia, New Brunswick, and Prince Edward Island—where the same form of Constitution prevailed as in Upper and Lower Canada, had been passing through a similar phase of misgovernment and agitation during the previous thirty years. Each suffered under a little monopolist ascendancy, called by the same name, "the family compact," and sustained, against the prevailing sentiment and interest, by the British Governor, and in each had arisen, or was arising, the same loud demand for responsible government. Samuel Wilmot in New Brunswick, Joseph Howe in Nova Scotia, were the best-known spokesmen. There was no violence, but a growing dislocation. In five Provinces of North America, therefore, the Colonial Government had broken down or was tottering, and from exactly the same cause as in Ireland, though under provocation infinitely less grave. For the moment, however, attention was concentrated upon the Canadas, where, as a result of the rebellion, the Constitution of Lower Canada was suspended early in 1838. In the summer of 1838 Lord Durham, the Radical peer, was sent out by Melbourne's Ministry as Governor-General, with provisionally despotic powers, and with instructions to advise upon a new form of government.

Before we come to Durham's proposals, let us pause and examine the state of home opinion on the Irish and Colonial questions. The people of Great Britain at large had no opinion at all. They were ignorant both of Canada and Ireland, and had been engaged, and, indeed, were still engaged, in a political struggle of their own which absorbed all their energies. The Chartist movement in 1838 was assuming grave proportions. The Reform, won in 1832 under the menace of revolution and in the midst of shocking disorders, was in reality a first step toward the domestic Home Rule that Ireland and the five Provinces of North America were clamouring for. Tory statesmen were quite alive to this political fact, and condemned all the political movements, British, Irish, and Colonial, indiscriminately and on the same broad anti-democratic grounds. The Duke of Wellington, who was not a friend of the Reform Act, and had only adopted Catholic Emancipation in order to avoid civil war in Ireland, speaking about Canada in the House of Lords on January 18, 1838, coupled together the United

States, British North America, and Ireland as dismal examples of the folly of concession to popular demands. Pointing to the results of the Canada Act of 1831, to which I have already alluded, and which gave the Assemblies control of the provincial revenue, and with an eye, no doubt, on the tithe war barely at an end in Ireland, he said: "Let noble lords learn from Canada and our other dominions in North America what it is to hold forth what are called popular rights, but which are not popular rights here or elsewhere, and what occasion is given thereby to perpetuate a system of agitation which ends in insurrection and rebellion."

The Whig statesmen who, if we except Peel's short Administration of 1834-35, were in power from 1830 to 1841, though by no means democratic men, were clear enough about Reform for Great Britain, but nearly as ignorant and quite as wrong about Ireland and Canada as the Tories. The only prominent Parliamentarian who, as after events proved, correctly diagnosed and prescribed for the disease in both countries was O'Connell. Not fully alive to the Irish analogy, but correct from first to last about Canada, was a small group of independent Radicals, of whom Roebuck, Hume, Grote, Molesworth, and Leader were the principal representatives. After the insurrections in Canada came John Stuart Mill, Edward Gibbon Wakefield, Charles Buller, and with them Lord Durham himself.

No one can understand either Irish or Colonial history without reading the debates of this period in the Lords and Commons on Canada and Ireland. Alternating with one another with monotonous regularity, they nevertheless leave an impression of an extraordinary lack of earnestness, sympathy, and knowledge, and an extraordinary degree of prejudice and of bigotry in the Parliament to whose care for better or worse the welfare of nearly ten millions of British citizens outside Great Britain was entrusted. Save for an occasional full-dress debate at some peculiarly critical juncture, the debates were ill-attended. The prevailing sentiment seems to have been that Ireland and Canada, leavened by a few respectable "loyalists" and officials, on the whole, were two exceedingly mutinous and embarrassing possessions, which, nevertheless, it was the duty of every self-respecting Briton to dragoon into

obedience. Both dependencies were assumed to be equally expensive, though, in fact, Ireland, as we know now, was showing a handsome profit at the time, whereas Canada was costing a quarter of a million a year. For the rest, the pride of power tempered a sort of fatalistic apathy. In the case of Ireland the element of pure selfishness was stronger, because the immense vested interests, lay and clerical, in Irish land were strongly represented. The proximity of Ireland, too, rendered coercion more obvious and easy. Otherwise, her case was the same as that of Canada. "The Canadas are endeavouring to escape from us, America has escaped us, but Ireland shall not escape us," said an English member to O'Connell just before the Repeal debate of 1834. Such was the current view.

Yet, as in the case of Ireland and of the lost American Colonies, the materials for knowledge of Canada were considerable. Petitions poured in; Committees and Commissions were appointed, and made reports which were consigned to oblivion. Roebuck, one of the small Radical group, was himself a Lower Canadian by birth, and acted as agent at Westminster for the popular party in that Province. He was as impotent as O'Connell, the spokesman of the Irish popular party. If the Colonial Office was not quite the "den of peculation and plunder" which Hume called it in 1838,* it was an obscure and irresponsible department, where jobbery was as rife as in Dublin Castle. In the ten years of colonial crisis (1828-1838), there were eight different Colonial Secretaries and six Irish Chief Secretaries.

Over and above all this apathy and arrogance was the perfectly genuine incapacity to comprehend that idea of responsible government which even the most hot-headed and erratic of the colonial agitators did instinctively comprehend. Until Durham had at last opened Lord John Russell's eyes, the great Whig statesman was as positive and explicit as the Tories, Wellington and Stanley, in declaring that it was utterly impossible for the Monarch's Representative overseas to govern otherwise than by instructions from home and through Ministers appointed by himself in the name of the King. One constitutional King ruled over Great Britain, Canada, and

* Hansard, January 28.

Ireland. He could not be advised by two sets of Ministers. The thing was not only an unthinkably absurd nullification of the whole Imperial theory, but, in practice, would destroy and dissolve the Empire. William IV. himself told Lord Melbourne that it was his "fixed resolution never to permit any despatch to be sent . . . that can for a moment hold out the most distant idea of the King ever permitting the question even to be entertained by His Majesty's confidential servants of a most remote bearing relative to any change of the appointment of the King's Councils in the numerous Colonies." Lord Stanley said, in 1837, that the "double responsibility" was impossible, that there must either be separation or no responsible government, and that it was "no longer a question of expediency but of Empire." Lord John Russell, polished, sober, scorning to descend to the mere vulgar abuse of the colonials which disfigured the utterances of many of his opponents, struggling visibly to reconcile Liberalism with Empire, nevertheless arrived at the same conclusion. In a debate of March 6, for example, in the same year, in proposing the defiant Resolutions which provoked the rebellion in Canada, he argued at length that a responsible Colonial Ministry was "incompatible with the relations of a Mother Country and a Colony," and would be "subversive of the power of the British Crown," and again, on December 22, that it meant "independence." O'Connell rightly replied to the former speech that Russell and his followers were supporting "principles that had been the fruitful source of civil war, dissension, and distractions in Ireland for centuries." The Radical group pushed home the Irish parallel. Hume quoted, as applicable to Canada, Fox's saying: "I would have the whole Irish Government regulated by Irish notions and Irish prejudices, and I firmly believe . . . that the more she is under Irish Government the more she will be bound to English interests." Molesworth declared, what was perfectly true at that moment of passion and folly, that his extreme political opponents wanted to make the reconquest of Ireland a precedent for the reconquest of Canada.

It would repay the reader to turn back from this debate to the Irish Repeal Debate of three years earlier, and listen to Sir Robert Peel stating as one of the "truths which be too

deep for argument," that the Repeal of the Union "must lead to the dismemberment of this great Empire, must make Great Britain a fourth-rate Power, and Ireland a savage wilderness," which, as a matter of fact, it was at the very time he was speaking, after thirty years of the Legislative Union, and seven hundred years of irresponsible government. We must listen to him claiming that the beneficent and impartial British Government was "saving Ireland from civil war" between its own "warring sects," whereas, in fact, it was that Government which had brought those warring sects into being, which had fomented and exploited their dissensions, which had provoked the rebellion of 1798, and by its shameful neglect and partiality in the succeeding generation had flung Ireland into a social condition hardly distinguishable from "civil war." And we must realize that closely similar arguments, with special stress on the right of taxation, had been used for the coercion of the American Colonies, and that exactly the same arguments, founded on the same inversion of cause and effect, were used to defend the coercion of Canada. There, also, the Fitzgibbonist doctrine of revenge and oppression by a majority vested with power was freely used, even by Lord John Russell, in his speech of March 6, 1837, and of December 22 in the same year, when he spoke of the "deadly animosity" of the French and "of the wickedness of abandoning the British to proscription, loss of property, and probably of lives." He ignored the fact that the same state of anarchy had been reached in uni-racial Upper Canada as in bi-racial Canada, and that the "loyalists" in both cases were not only in the same state of unreasoning alarm for their vested rights, but, in the spirit of the Ulstermen of that day and ever since, were threatening to "cut the painter," and declare for annexation to the United States if their ascendancy were not sustained by the Home Government. Then, as to-day, the ascendant minority were supported in their threats by a section of British politicians. Lord Stanley's speech of March 8, 1837, where he boasted that the "loyal minority of wealth, education, and enterprise" would protect themselves, and, if necessary, call in the United States, is being matched in speeches of to-day. In all the debates of the period it is interesting to see the ignorance which prevailed about the troubles in Upper Canada.

The racial question in Lower Canada, owing to the analogy with Ireland, was seized on to the exclusion of the underlying and far more important political question in both Provinces.

Against the policy of the two great political parties in England the little group of Radicals struggled manfully, and in the long run not in vain, although for years they had to submit to insult and contumely in their patriotic efforts to expose the vices of the colonial administration and to avert the rebellion they foresaw in the Canadas. What they feared, with only too good cause, was that the American and Irish precedents would be followed, and war made for the coercion of the Canadas, to be followed, if successful, by a still more despotic form of government, which would in its turn provoke a new revolt. Rather than that such a catastrophe should take place, they went, rightly, to the extreme point of saying that an "amicable separation" should be arranged, maintaining, what is indisputable, that the claims of humanity should supersede the claims of possession. With Russell himself declaring till the eleventh hour that responsible government was out of the question because it meant "separation," they were quite justified in demanding that separation, if indeed inevitable, should come about by agreement, not as the possible result of a fratricidal war. For such a war, though Russell could not see it until Durham made him see it, was the only alternative to the grant of responsible government. But the Radicals never used this argument unless circumstances forced them to. Molesworth, in a debate of March 6, 1838, denounced the prevailing view of the Colonies, insisted that we should be proud of them and study their interests, that reform, not separation, should be our aim. The Radicals were fully aware of the alternatives, and were unwearied in pointing out the justice and policy, in the Imperial interests, of acceding to the colonial popular demands. Grote had expressed the truth in the December debate of 1837, when he implored the House "not to use a tone of triumph at the superior power of England," but to remember that the colonists, "though freemen, like ourselves," desired to remain, "if they could do so with honour, in connection with England as the Mother Country." He was followed by a gentleman named Inglis, who said that "it was in Canada as in Ireland," a faction

called itself Canada, and that we must bring "back the colonists," like the Irish, "to subordination."

Roebuck, who led the Radicals in Canadian matters, had some of the faults of Papineau and Mackenzie; yet posterity should give him and his comrades credit for a constructive Imperialism which the great men of his day lacked. It is now known that he and Sir William Molesworth powerfully influenced Durham's policy. In a paper he drew up at Durham's request on the eve of that nobleman's departure for Canada he sketched a plan, imperfect in some details, but wise in broad conception, for pacifying the Canadas, and went further in elaborating a scheme, also defective, for the Confederation of British North America under the Crown on the lines conceived by the despised demagogue, Mackenzie.* But the two men who, by influencing Durham, probably did most to save Canada for the Empire and to lay the foundations of the present Imperial structure, were Charles Buller, the Radical M.P., and Edward Gibbon Wakefield, both of whom accompanied the new Governor-General to Canada, and who are generally believed to have inspired, if they did not actually write, the greater part of the celebrated Report which became the Magna Charta of the self-governing Colonies of the Empire.

A word about the events which ended in the publication of this Report. Durham reached Canada at the end of May, 1838, and in November was recalled in disgrace for exceeding—strange as it seems!—the almost absolute powers temporarily entrusted to him. He was an extraordinary mixture of a despot and a democrat, an extreme Radical in politics, an autocrat in manners, as vain and tactless as he was generous and sincere, making bitter enemies and warm friends in turn. He began by winning and ended by estranging almost every class in both Provinces of Canada, and returned to England to all appearances a spent and extinguished meteor. There is some truth, perhaps, in Greville's observation that, had he been "plain John Lambton," he would never have been chosen for Canada. It is certain that those who sent him there little dreamed of the consequences of their action. Lord Melbourne, the Prime Minister, in a letter to the Queen, charged him with magnifying the Canadian troubles "in order

* "Self-government in Canada," F. Bradshaw, p. 17.

to give greater *éclat* to his own departure."* Still, he did his work of investigation faithfully, and formed his conclusions sanely, and there were plain men of greater ability at his elbow in the persons of Wakefield and Buller, by whose advice he was wise enough to be guided. All opinion was against him when news came of his recall, and even Roebuck was denouncing him in the *Spectator* for his autocratic excesses; but a brilliant article by John Stuart Mill in the *Westminster Review*, pleading for time and confidence, arrested the tide of obloquy.

Durham's long Report, and the events which followed it, ought to be studied carefully by every voter, however lowly, who has a voice in deciding the fate of Irish Home Rule. After an exhaustive discussion of the causes of disorder in Canada, Durham made two recommendations, the first of incalculable importance, and proved by subsequent experience to be right; the second of minor consequence, and proved by subsequent experience to be wrong.

The first was that responsible government should be inaugurated both in Canada and in the Maritime Provinces of North America, whose constitutional troubles Durham also discussed. His proposal was that the Governor should govern in accordance with advice given by Colonial Ministers in whom the popular Assembly reposed confidence, and who, through that Assembly, were in touch with popular opinion; for it was to the strangulation of popular opinion that Durham attributed all the disorders and disasters of the past. This recommendation was eventually adopted, not in the Act subsequently passed, but by instructions to the Governors concerned; instructions which were first interpreted in the full liberal spirit by Lord Elgin in 1847. The Maritime Provinces at various dates and under various Governors received full responsible government by 1854. Responsible government proved the salvation of Canada and the Empire, as it would have proved, if given the chance, the salvation of Ireland and a source of immensely enhanced strength to the Empire.

The second and less important recommendation, afterwards embodied in the Act of 1840, was the Union of the two Provinces of Upper and Lower Canada. Here Lord Durham, misled unhappily by the Irish precedent, fell into an error. During

* "Letters of Queen Victoria," vol. i., November 22, 1838.

his visit to Canada he came near to accepting that higher conception of a Federal Union with local Home Rule for each Province, outlined by Roebuck and Mackenzie, and eventually consummated thirty years later. When he came home to London he made a *volte face*, rejecting the Federal idea and accepting its antitype, that Legislative and Administrative Union of the two Provinces which had been rejected by Pitt in 1791. There were, of course, economic arguments for Union apart from the racial factor; but they do not seem to have been decisive with Durham. At the last moment he gave way to a dread of predominant French influence in Lower Canada, similar at bottom to his dread of the unchecked influence of the British minority. While he feared that the latter, if let alone, would inaugurate a reign of terror, he added also: "Never again will the present generation of French-Canadians yield a loyal submission to a British Government." The argument is inconsistent with the whole spirit of the Report, which attributes the friction in both Provinces to bad political institutions. It is probable that Durham was really more influenced by the quite reasonable recognition that the French were relatively backward in civilization and ideas. He sought, therefore, both to disarm them politically and to anglicize them socially, by amalgamating their political system with that of wholly British Upper Canada. His calculation was that in a joint assembly the British would have a small but sufficient majority. The estimated population of Lower Canada was 550,000, of whom 450,000 were French, and 100,000 British and Irish; that of Upper Canada 400,000, all British and Irish. That is to say, that in both Provinces together there was a British and Irish majority of 100,000. The calculation overestimated the British element, but in the event this mistake proved to be immaterial. Though Durham himself appears to have intended representation to be in strict accordance with population, the Union Act, passed in 1840, allotted an equal number of representatives in the Joint Assembly to each of the old Provinces. The assumption here was that the British Members from Upper Canada would unite with those of old Lower Canada to vote down the French, just as the Ulster Protestants voted with English members to vote down the Irish majority.

In practice the Union, after lasting twenty-six years, eventually broke down. Durham's fear of French disloyalty proved to be as groundless as his ideal of complete anglicization was futile. It was neither necessary, sensible, nor possible to extinguish French sentiment, and human nature triumphed over this half-hearted effort to apply in dilution the medicine of Fitzgibbonism to the Colonies. Little harm was done, because the introduction of responsible government, far transcending the Union in importance, worked irresistibly for good. Parties did not run wholly on racial lines, but racialism was encouraged by the equal representation of the two Provinces in the Assembly, in spite of the greater growth of population in the Upper Province. The system was unhealthy, and at last produced a state of deadlock, in which two exactly equal parties were balanced, and a stable Government impossible. When that point was reached, men began to observe the strong and supple Constitution of the adjacent United States, and to recognize that a politically feeble Canada was courting an absorption from that quarter which all Canadians disliked. The Legislative Union was dissolved by the mutual consent of the Provinces with the approval of the Mother Country. and in 1867, under the British North America Act, the Federal Union was formed which exists in such strength and stability to-day. Fear of French disloyalty or tyranny was a nightmare of the past, even with the British minority in Lower Canada. It was realized that French national sentiment was perfectly consistent with racial harmony under the British flag. Upper Canada became Ontario, Lower Canada Quebec. Each Province reserved a local autonomy for itself, and each at the same moment voluntarily surrendered certain high powers to a supreme centralized Government, in which both had confidence. Such a political system is capable of indefinite expansion. Nova Scotia and New Brunswick joined the Federation at the outset, Prince Edward Island and British Columbia a little later, and were followed in turn by the successively developed Provinces which now form the united and powerful Dominion of Canada.

Turn back to Ireland and weigh well the analogy. *Mutatis mutandis*, almost every paragraph of the Durham Report applied with greater force to the Ireland of his day. The

ascendancy of a caste and creed minority in Upper Canada ; of a race minority in Lower Canada ; " the conflict of races, not of principles "; the consequent obliteration of natural political divisions, and the substitution of unnatural and vindictive antagonisms demoralizing both sides to every quarrel ; the universal disgust with and distrust of the British Government, though for reasons diametrically opposite ; the hopelessness of true reforms ; the perpetuation of abuses ; the stagnation of trade and agriculture ; the re-emigration to America, and the abuses of a Church Establishment with endowments from sources by right public—all these phenomena and many others had their counterpart in Ireland. Some have disappeared. The Church is disestablished. The land question is on the way to settlement. The old ascendancy is mitigated. But many of the political, and all the psychological, features of the situation which Durham described do, alas ! exist to-day in Ireland. Ireland, like the Canada of 1838, is a land of bewildering paradox. There is a similarly unwholesome arrest of free political life, the same unnatural division of parties, the same suppression of moderate opinion, and the same inevitable maintenance of a Home Rule agitation, harmful in itself, because it retards the country and accentuates for the time being the very divisions it seeks to cure, but absolutely necessary for the final salvation of Ireland. Durham, in the case of Canada, saw the truth, and swept into the limbo of discredited bogies the old figments of the coercionists. In a singularly noble and profound passage (p. 229), revealing the ethical basis on which his philosophy rested, he declared that even if the political freedom of the Colony were to lead in the distant future to her separation from the Empire, she nevertheless had an indefeasible moral right to the blessings of freedom ; but he prophesied correctly that the connection with the Empire " would only become more durable and advantageous by having more of equality, of freedom, and of local administration."

If only Irish and British Unionists would realize that these words came from a profound knowledge of human nature in the mass, and are applicable to Irishmen in Ireland just as much as to Irish, British, French, and Dutch in the Colonies !

The tenacity of the old superstition is extraordinary, and we can see it in the case of Canada. It remains a wonder to this

day how responsible government was ever introduced. There can be no question that the Act of 1840 only secured a smooth passage because, in providing for the Union of the French and British Provinces, it represented a superficial analogy to that Union of Britain and Ireland which had paralyzed Irish aspirations. Durham himself had actually quoted both the Irish and Scotch Unions as successful expedients for "compelling the obedience of a refractory population," and thus arrived at the outstanding and solitary defect of his otherwise noble scheme. And O'Connell, in a debate upon the Report on June 3, 1839, opposed the Canadian Union for Irish reasons, and in language which after-experience proved to be perfectly correct. Happily, as we have seen, the defect was small and curable, because the analogy with Ireland, where there was no responsible, but, on the contrary, a separate and wholly irresponsible Executive Government, and whose interests were upheld by only 100 Members in a House of 670, was exceedingly remote. On responsible government itself the Canadian Act of 1840 was entirely silent. We may thank Providence for the fact. Durham's cardinal proposals had received unbridled vituperation as sentimental rubbish where they were not treasonable poison, the whole controversy taking precisely the same form as in 1886 and 1893 over Mr. Gladstone's Home Rule Bills for Ireland. The *Quarterly Review* spoke of "this rank and infectious Report," though it is fair to say that Peel and Wellington did not join in such wild language. Five months after the issue of Lord Durham's Report, Lord John Russell, in the debate of June 3, was denying, with the approval of all but the Radicals, the possibility of responsible government as emphatically as ever. Durham seems to have partially converted him in the summer, for in introducing the Act itself in 1840 he cautiously committed himself to the plan of instructing the Canadian Governor to include in his Executive Council, or Cabinet, men expressly chosen because they possessed the confidence of the Assembly. But the Act as it stood, ignoring this vital change, was impeccably Conservative, and on that account went through. In some points it seemed, without good reason, to be even reactionary, and was regarded in that light with displeasure by the Radicals, with satisfaction by Whigs and Tories.

While confirming the control of revenue by the Assembly, in return for a fixed civil list, it took away from the Assembly, and vested in the Executive, the power of recommending money votes, and it also retained the Legislative Council or Upper Chamber as a nominated, not as an elective, body. Provided that the Executive had the confidence of the representative Assembly or Lower House, the first point was perfectly sound, and the second was not vital; but there was no security for the condition precedent other than Russell's vague outline of subsequent policy. While the supreme power of the King, acting with or without the Governor, was reaffirmed in the most vigorous terms, there was not a word in the Act about the composition of the Executive Council or its relation to the Assembly.

In Canada much the same misconceptions prevailed, and promoted the acceptance of the Act by the supporters of the old ascendancies. The question of the Union and the question of responsible government, both raised by Lord Durham's Report, became inextricably confused, and the various petitions and resolutions of the time reflect this confusion. The French opposed the Union and supported responsible government on the same grounds, and in almost identical terms, as the Irish opposed, and still oppose, their Union with Great Britain, and ask for responsible government in Ireland. Moderate Britishers supported both proposals, but the extremists of the old ascendancy bitterly denounced the whole theory of responsible government, Union or no Union. Their views are ably and incisively set forth by a Committee of the old Legislative Council of Upper Canada, that is, by the members of the "family compact," in a protest signed and transmitted to London, where it was quoted with approval by Lord John Russell. It may be found, together with other petitions of the time, in the "Canadian Constitutional Development" of Messrs. Grant and Egerton. With a few unessential changes and modifications, the whole document might be signed to-day by a Committee of Ulster Unionists, and I heartily wish that every Ulsterman would read it in a spirit of reason and generosity, and observe how every line of it was falsified by history, before he declares that the situation of Ulster is peculiar, and sets his hand or gives his adhesion

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to a similar document. The signatories, who, it must be remembered, were a small ruling minority of the colonists, whose power was artificially sustained by the British Governor, claim that they alone, in glorifying and in battling for "colonial dependence," are the true Imperialists. They hold dear the "unity of the Empire." Responsible government within their own Colony would lead to the "overthrowal" of that Empire, and the reduction of Britain to a "second-rate Power." A colonial Cabinet is absurd; the local and sectional interests are too strong; the British Government must remain as "umpire" to keep the parties from flying at one another's throats. The majority, who are themselves a prey to divisions (and one thinks of Nationalist splits), are seeking only for illegitimate power; the minority are for "justice and protection, and impartial government." Yet in the same breath we are told that all is happy and peaceable as it is. Why subject the Colony to the dissensions of party? Why foster a spirit of undying enmity among a people disposed to dwell together in harmony? The signatories argue from the history of Ireland and Scotland, "which never had responsible government, yet government became impracticable the moment it approached to equal rights." Hence a Union, because "government must be conducted with a view to some supreme ruling power, which is not practicable with several independent Legislatures." Finally, Loyalists and Imperialists as they are, they are not going to stand an attempt to "force independence" on them. They will take the matter into their own hands, and, if necessary, call in the United States to "replace the British influence needlessly overthrown."

I do not quote this sort of thing in order to add any tinge of bitterness to present controversies. The signatories lived to see their errors and to be ashamed of what they wrote. They, like the Irish Unionist leaders of to-day, were able and sincere men, unconscious, we may assume, that their pessimism about the tendencies of their fellow-citizens was really due to the defective institutions which they themselves were upholding, and to the forcible suppression of the finer attributes of human nature; unconscious, we may also assume, of identifying loyalty with privilege, and "the supreme ruling power" with their own ruling power; unconscious that what they

called "Imperial Unity" was in reality on the verge of producing Imperial disruption; and wholly unconscious, certainly, of the ghastly irony of their analogy drawn from the brutally misgoverned, job-ridden, tithe-ridden, rack-rented Ireland of their day, living, for no fault of its own, under a condition of intermittent martial law, and hurrying at that moment towards the agony of the famine years. Less severe in degree, analogous abuses perpetuated in their own interest existed in their own Colony, and were only abolished under the new régime which they attacked with such vehemence before it came, and which, because it transformed and elevated their own character and that of their fellow-citizens, while drawing them closer to the old country, they afterwards learned to regard with pride and thankfulness.

As an effective contrast to the mistaken views of the Upper Canadian statesmen, the reader cannot do better than study the letters of Joseph Howe, the brilliant Nova Scotia "agitator," to Lord John Russell, in answer to that statesman's speech of June 3, 1839, when he argued against responsible government, and quoted the Upper Canadian manifesto as his text. These letters make a wonderful piece of sustained and humorous satire, of which every word was true and every word applicable to Ireland. Howe's portrait, for example, of the average Colonial Governor applies line for line to the average Chief Secretary, coming at an hour's notice to a country he has never seen, and knows nothing of, vested with absolute powers of patronage, and often pledged to carry out a policy in direct conflict with the wishes of the vast majority of the people whose interests he is supposed to guard.

The Act of 1840 went through, but it had little to do with the regeneration and reconciliation of Canada. Poulett Thompson, the first Governor, peremptorily declined to admit the principle of Ministerial responsibility. Some good reforms were, indeed, made in the early years, but the Act was on the verge of breaking down when Lord Elgin, Durham's son-in-law, came to Canada as Governor-General in 1847. After many party changes and combinations, French influence was temporarily in the ascendant, and in 1849 a Bill was on the stocks for compensating French as well as British subjects for losses in the rebellion of 1837. Elgin, following the advice of his

Ministers, of whom Baldwin was one, Lafontaine another, gave the Royal Assent to the Bill. The British, with the old cry of "loyalism," and with Orangemen in the van, rioted, mobbed the Governor, and burnt down the Parliament House at Montreal. Elgin, expostulating with Lord John Russell, who was as pessimistic as ever, and threatened with recall, stuck to his guns under fierce obloquy, and the principle of responsible government was definitely established. It was applied at about the same period to the other British Provinces of North America, with the ulterior results I have described, and in a few years to Australia.

The great year, then, was 1847, the year of the Irish famine, and the year before the pitiful rebellion of Smith O'Brien, surrendering in the historic cabbage-garden. Our thoughts go back sixty-four years to 1783, when the American War of Independence ended; when, as a result of that war, British Canada and Australia were founded, and when, at the crisis—premature, alas!—of Ireland's fortunes, the Volunteers in vain demanded the Reform which might have saved their country. Look into historical details, read contemporary debates, and watch the contrast. Within five years of responsible government Canada solved all the great questions which had been convulsing society for so long, and turned her liberated energies towards economic development. In Ireland the abuses of ages lingered to a point which seems incredible. The Church was not disestablished, amid outcries of imminent ruin and threats of a Protestant rebellion, till 1869, when Canada had already become a Federated Dominion. The Irish land question, dating from the seventeenth century, was not seriously tackled until 1881, not drastically and on the right lines till 1903. Education languishes at the present day. Canada started an excellent system of municipal and local government in the forties. In Ireland, while the minority, in Greville's words, were "bellowing spoliation and revolution," an Act was passed in 1840 with the utmost difficulty, removing an infinitesimal part of the gross abuses of municipal government under the ascendancy system, and it was not till 1898 that the people at large are admitted to a full share in county and town government. Even this step inverted the natural order of things, for the new authorities are hampered in their work by the incessant

political agitation for the Home Rule which should have preceded their establishment, as it preceded it in Great Britain and Canada. Home Rule, the tried specific, was resisted, as those who read the debates of 1886 and 1893 will recognize, on the same grounds as Canadian Home Rule, in the same spirit, and often in terms absolutely identical.

Was it because Ireland, unlike Canada, was "so near"? Let us reflect. Did Durham advocate Canadian Home Rule because Canada was "so far"? On the contrary, it was a superficial inference, drawn not merely from Ireland, but from Scotland, and since proved to be false both in Canada and South Africa, that made him shrink from the full application of a philosophy which was already far in advance of the political thought and morality of his day. Is it to be conceived that if he had lived to see the Canadian Federation, the domestic and Imperial results of South African Home Rule, and the consequences of seventy more years of coercive government in Ireland, he would still have regarded the United Kingdom in the light of a successful expedient for "compelling the obedience of refractory populations"? In truth, Durham, like ninety-nine out of a hundred Englishmen of his day, knew nothing of Ireland, not even that her political system differed, as it still differs, *toto cœlo* from that of Scotland, and came into being under circumstances which had not the smallest analogy in Scotland. So far as his knowledge went, he was a student of human nature as affected by political institutions. Wakefield, who advised him, was a doctrinaire theorist who put his preconceived principles into highly successful practice both in Australia and Canada. They said: "Your coercive system degrades and estranges your own fellow-citizens. Change it, and you will make them friendly, manly, and prosperous." They were right, and one reflects once more on the terrible significance of Mr. Chamberlain's admission in 1893, that "if Ireland had been a thousand miles away, she would have what Canada had had for fifty years."

CHAPTER VI

AUSTRALIA AND IRELAND

I HAVE described the Canadian crisis at considerable length because it was the turning-point in Imperial policy. Yet policy is scarcely the right word. The Colonists themselves wrenched the right to self-government from a reluctant Mother Country, and the Mother Country herself was hardly conscious of the loss of her prerogatives until it was too late to regret or recall them. The men who on principle believed in and laboured for Home Rule for Canada were a mere unconsidered handful in the country, while most of those who voted for the Act of 1840 thought that it killed Home Rule. No general election was held to obtain the "verdict of the predominant partner" on the real question at issue, with the cry of "American dollars" (which had, in fact, been paid); with lurid portraits of Papineau and Mackenzie levying blackmail on the Prime Minister, and quotations from their old speeches to show that they were traitors to the Empire; with jeremiads about the terrors of Rome, the abandonment of the loyal minority, and the dismemberment of the Empire, to shake the nerves and stimulate the slothful conscience of an ignorant electorate. Had there been any such opportunity we know it would have been used, and we can guess what the result would have been; for nothing is easier, alas! than to spur on a democracy with such cries as these to the exercise of the one function it should refrain from—interference with another democracy, be it in Ireland or anywhere else. As it was, a merciful veil fell over Canada; Lord Elgin's action in 1849 passed with little notice, and a mood of weary indifference to colonial affairs, for which, in default of any Imperial idealism, we cannot be too thankful, took possession of Parliament and the nation.

It was in this mood that the measures conferring self-government on the Australasian Colonies, 12,000 miles away from the Mother Country, and exciting proportionately less concern than Canada, were passed a few years later.

From the landing of the first batch of convicts at Botany Bay in 1788, New South Wales, the Mother Colony, was a penal settlement pure and simple, under military Government, for some thirty years. The island Colony, Tasmania, founded under the name of Van Diemen's Land in 1803, was used for the same purpose. Victoria, originally Port Phillip, just escaped a like fate in 1803, and remained uncolonized till 1835, when the free settlers set their faces against the penal system, and in 1845, acting like the Bostonians of 1774 with the famous cargo of tea, refused to allow a cargo of convicts to land. South Australia, first settled in 1829, also escaped; so did New Zealand, which was annexed to the Crown in 1839. Western Australia, dating from 1826, proceeded on the opposite principle to that of Victoria. Free from convicts until 1849, when transportation to other Colonies was checked at their own repeated request, and came to an end in 1852, this Colony, owing to a chronic shortage of labour, actually petitioned the Home Government to divert the stream of criminals to its shores, with the result that in ten years' time nearly half the male adults in the Colony, and more than half in the towns, were, or had been, convicts. It was not until 1865, under strong pressure from the other Colonies, that the system was finally abolished which threw Western Australia forty years behind its sister Colonies in the attainment of Home Rule.

The transportation policy has been unmercifully criticized, and with all the more justice in that Pitt, when the American war closed the traditional dumping-ground for criminals, had the chance of employing the exiled loyalists of America, many of whom were starving in London, as pioneers of the new lands in the Antipodes. "The outcasts of an old society cannot form the foundations of a new one," said a Parliamentary Report of July 28, 1785." But they could do so, and did do so. Ruskin's saying, *à propos* of Australia, that "under fit conditions the human race does not degenerate, but wins its way to higher levels," comes nearer the truth. In an

amazingly short time after the transportation policy was reversed the taint disappeared. We must remember, however, that, sheer refuse as some of the convicts were, especially in the later period, a large number of the earlier convicts were the product of that "stupid severity of our laws" which the Vicar of Wakefield deplored, and to this category belonged many an unhappy Irish peasant, sound in character, but driven into Whiteboyism, or into the rebellions of 1798 and 1803 by some of the worst laws the human brain ever conceived. Hundreds of these men survived the barbarous and brutalizing ordeal of a penal imprisonment to become prosperous and industrious citizens.

It was not until 1825, or thereabouts, that free white settlers, many Irishmen among them, came in any substantial number to the Mother Colony of New South Wales, and not until 1832 that these men began to press claims for the management of their own affairs, under the inspiration of an Irish surgeon's son, William Wentworth, the Hampden of Australia. The later Colonies rapidly came into line, Western Australia, for the reason given above, remaining stationary. The first representative institutions were granted in 1842 to New South Wales, and in 1850 to Victoria, South Australia, and Tasmania. At that date, therefore, these settlements stood in much the same constitutional position as the Canadas had stood in 1791 (although technically their Constitutions were of a different kind), but with this important difference, that the Act of 1850, "for the better Government of Her Majesty's Australian Colonies," gave power to those Colonies to frame new Constitutions for themselves. This they soon proceeded to do, each constructing its own, but all keeping in view the same model, the British Constitution itself, and aiming at the same ideal, responsible Government by a Colonial Cabinet under a Government representing the Crown. Since responsible Government in Great Britain itself was not a matter of legal enactment, but the product of slowly evolved conventions and precedents, to which political scientists had not yet given a scientific form, it is no wonder that the colonial Constitution-makers found great difficulty in expressing exactly what they wanted in legal terms, and, indeed, none of them came near succeeding; but time, their own political instinct, a succession

of sensible Governors, and the forbearance of the Home Government solved the problem, and evolved home-ruled States legally subordinate to the Crown, but with a Constitution closely resembling our own. The Constitutions became law by Acts of the Imperial Parliament passed by a Liberal Ministry in 1855. They are of unusual interest because they represent the first rude attempt to put into legal language a small part of the theory of the British Constitution as applied to dependencies of the Crown.

In the most vital point of all, the relation of the dependency to the Home Government (as distinguished from questions of internal political structure), they are almost as reserved as the Canadian Act of 1840, which, as we have seen, did not recognize by a word the duty of the Governor to govern through a Colonial Cabinet. In certain clauses they hint, by distant implication, at the existence of such a Cabinet, responsible to the colonial popular Legislature—the Canadian Act did not assume even that—but they do not anywhere imply that the Governor is bound normally to place himself in the hands of that Cabinet, while they expressly and rightly reaffirm the supreme power of the Crown, whether acting through the Governor or not, over colonial legislation.

How far this reticence about responsible Government facilitated the passage of the Australian Acts in the British Parliament, as it certainly facilitated the Canadian Act of 1840, it is difficult to decide. It was probably a factor of some importance. At any rate, it is true to say that Home Rule, as in Canada, was mainly a result of practice rather than of statutory enactment. The case of New Zealand is a striking example of this. In 1852 New Zealand obtained from a Tory Government a Constitutional Act, which resembles the Canadian Act of 1840 in abstaining from any expression, direct or indirect which implies the existence of a Colonial Cabinet, and it is probable that the framers of the Act intended no such development, but on the contrary contemplated a permanent, irremovable Executive. But the Act was no sooner passed than an agitation began for responsible government, under the leadership of Edward Gibbon Wakefield, part-author of the Durham Report, and at that time a member of the New Zealand Assembly. By 1855, when the Australian Acts were

passed, New Zealand, without further legislation, had obtained what she wanted.

To complete the story, Queensland, carved out of New South Wales in 1859, entered upon full responsible government at once, and Western Australia, retarded for so long by the servile system of convict-labour, gained the same rights in 1890.

Reading the debates of the middle of the nineteenth century, one is left with the impression that the Australasian Colonies obtained Home Rule by virtue of their distance, and because most politicians at home could not be bothered to fight hard against a principle which at bottom they disliked as heartily for the Colonies as for Ireland. The views of the various parties were not much changed since the days of the crisis in Canada. There were some able Colonial Secretaries who thoroughly understood and believed in the principle of responsible government. On the other hand, some Liberals were not yet converted, though Liberal Governments fathered the Constitutional Acts of 1850 and 1855. Disraeli's well-known saying in 1852 that "these wretched Colonies will all be independent, too, in a few years, and are a mill-stone round our necks," was typical of the Tory attitude.* Lord John Russell, in the same year, 1852, was complaining, as Lord Morley tells us,† that we were "throwing the shields of our authority away," and leaving "the monarchy exposed in the Colonies to the assaults of democracy." A group of Radicals, headed by Sir William Molesworth and Hume in Parliament, and by Wakefield from outside, still pushed the policy of emancipation energetically and persistently on the principle which they had urged in the case of Canada, that freedom was better both for the Colonies and the Mother Country.

But Molesworth and Wakefield gained one illustrious convert and coadjutor in the person of Mr. Gladstone, whose speeches on the Colonies at this period, 1849 to 1855, placed him, in regard to that topic, in the Radical ranks, and in veiled opposition to the Whig leaders. Lord Morley quotes a minute from his hand, written in 1852 in answer to the view of Lord John

* Letter to Lord Malmesbury, August 18, 1852 ("Memoirs of an Ex-Minister," by the Earl of Malmesbury, vol. i., p. 344).

† "Life of Gladstone," vol. i., p. 363.

Russell, referred to above, where he says "that the nominated Council and independent Executive were not 'shields of authority,' but sources of weakness, disorder, disunion, and disloyalty." His Parliamentary and platform speeches, passing with little notice at the time, nevertheless remain the most eloquent and exalted expression of wise colonial policy that is to be found in our language. If it was not till a generation later that he applied the same arguments to the case of Ireland, the arguments nevertheless did apply to Ireland almost word for word. Proximity to the Mother Country does not affect them. Mr. Gladstone attacks the problem on its human side, showing that coercive government is always and everywhere bad for those who administer it, and bad for those who live under it, expensive, inefficient, demoralizing, and that the longer it is maintained the more difficult it is to remove. He condemns the fallacy of preparing men by slow degrees for freedom, and the "miserable jargon about fitting them for the privileges thus conferred, while in point of fact every year and every month during which they are retained under the administration of a despotic Government renders them less fit for free institutions." As to cost, "no consideration of money ought to induce Parliament to sever the connection between any one of the Colonies and the Mother Country," but the greater part of the cost, he urged, was due to the despotic system itself. His words are more applicable to the Ireland of to-day than the Ireland of the middle of the nineteenth century, for it is one of the many painful anomalies of Irish history that that country, at the lowest point of its economic misery, was paying a relatively enormous contribution to Imperial funds, and, incidentally, to the colonial vote, while the Colonies were maintained at a loss correspondingly large, and at times even larger.* But cost is, after all, a very small matter. The first consideration is the character and happiness of human beings, and here Gladstone's words, like Durham's, have a universal application. If the reader cannot study them at length in

* Annual Treasury Returns ["Imperial Revenue (Collection and Expenditure)"]. According to these returns, Ireland's Imperial contribution in 1839, before the famine, was £3,626,822; in 1849, after the famine, £2,618,778, and in 1859-60 no less than £5,896,000. At the latter date the Colonies were estimated to cost three and a half millions a year, of which nine-tenths were contributed by the taxpayers at home, British and Irish.

Hansard, he should read the great speech on the New Zealand Bill in 1852, and Lord Morley's masterly summary of others. I conclude with a passage quoted by him from a platform speech at Chester in 1855, the year when the Australian Constitutions were sanctioned. "Experience has proved that if you want to strengthen the connection between the Colonies and this country, if you want to see British law held in respect, and British institutions adopted and beloved in the Colonies, never associate with them the hated name of force and coercion exercised by us at a distance over their rising fortunes. Govern them upon a principle of freedom." At that moment, after half a century of coercion and neglect under what was called the "Union," Ireland was bleeding, as it seemed, to death. Scarcely recovered from the stunning blow of the famine, she was undergoing in a fresh dose of clearances and evictions the result of that masterpiece of legislative unwisdom, the Encumbered Estates Act. Her people were leaving her by hundreds of thousands, cursing the name of England as bitterly as the evicted Ulster farmers and the ruined weavers of the eighteenth century had cursed it, and bearing their wrongs and hatred to the same friendly shore, America. For the main stream of emigration, which before the Union had set towards the American States, and from the Union until the famine towards Canada, reverted after the famine towards the United States, impregnating that nation with an hostility to Great Britain which in subsequent years became a grave international danger, and which, though greatly diminished, still remains an obstacle to the closer union of the English-speaking races. On the other hand, it is interesting to observe that among the Irish emigrants to countries within the Empire, and a very important part of this emigration was to Australasia, the anti-British sentiment was far less tenacious, though the affection for their own native country was no less passionate.

Whatever we may conclude about the motives behind the concession of Home Rule to Australia and New Zealand, we may regard it as fortunate that they lay too far away for any close criticism from statesmen at home, whether before or after the attainment of self-government. Most of these statesmen would have been scandalized by the manner in which these vigorous young democracies, destitute of the

patrician element, shaped their own political destiny by the light of nature and in the teeth of great difficulties. Almost to a man their leaders in this great work would have been regarded as "turbulent demagogues and dangerous agitators," and often were so regarded, when the rumour of their activities penetrated to far-off London. The old catchwords of revolution, spoliation and treason, consecrated to the case of Ireland, would have been applied here with equal vehemence, and were in fact applied by the official classes in the Colonies themselves, round whom small anti-democratic groups, calling themselves "loyal," crystallized, as in the Provinces of Upper Canada and in Ireland, and with whom the ruling classes at home were in instinctive sympathy. There were stormy, agitated times, there were illegal movements against the reception of convicts, struggles over land questions, religious questions, financial questions, the emancipation of ex-convicts, and the many difficult problems raised by the discovery of gold and the mushroom growth of digger communities in remote places. There was in the air more genuine lawlessness —irrespective, I mean, of revolt against bad laws—than ever existed in Ireland, though there was never at any time any practical grievance approaching in magnitude to the practical grievances of Ireland at the same period. But, could the spirit of English statesmanship towards analogous problems in Ireland have been maintained in Australasia, systematically translated into law and enforced with the help of coercion acts by soldiers and police, communities would have been artificially produced presenting all the lawless and retrograde features of Ireland.

The famous affair of the Eureka Stockade in 1854 is an interesting illustration. A great mass of diggers collected in the newly discovered Ballarat goldfields had petitioned repeatedly against the Government regulations about mining licences, for which extortionate fees were levied. This was before responsible government. The goldfields were not represented in the Legislature, and there was no constitutional method of redress. The authorities held obstinately to their obsolete and irritating regulations, and eventually the miners revolted under the leadership of an Irishman, Peter Lalor, and with the watchword "Vinegar Hill." There was a pitched battle with the

military forces of the Crown, ending after much bloodshed in the victory of the soldiers. Lalor was wounded, and carried into hiding by his friends. Other captured rioters were tried for "high treason" before juries of townsmen picked by the Crown on the lines long familiar in Ireland; but even these juries refused to convict, as they so often refused to convict in cases of agrarian crime in Ireland. The State trials were then abandoned, a Royal Commission reported against the licence system, and Parliamentary representation was given to the goldfields. It came to be universally acknowledged that the talk of "treason" was nonsense, that the outbreak had been provoked by laws which could not be constitutionally changed, and that the moral was to change them, not to expatriate and persecute those who had suffered under them. Lalor reappeared, entered political life, became Speaker of the reformed Assembly of 1856, and lived and died respected by everyone. He now appears as a prominent figure in a little book entitled "Australian Heroes," and it is admitted that the whole episode powerfully assisted the movement for responsible government in the Colony. Smith O'Brien, Meagher, Mitchell, and others concerned in the Irish rebellion of 1848 were at that moment languishing in the penal settlement of Tasmania for sedition provoked by laws fifty times worse; laws, too, that a Royal Commission three years earlier had shown to be inconsistent with social peace, and which others subsequently condemned in still stronger terms. From their first establishment far back in the seventeenth century it took two centuries to abolish these laws. In the Australian case it took one year.

As for the Irishmen of all creeds and classes who took such an important part in the splendid work of building up these new communities, and who are still estimated to constitute a quarter of the population, one can only marvel at the intensity of the prejudice which declared these men "unfit" for self-government at home, and which is not yet dissipated by the discovery that they were welcomed under the Southern Cross, not only as good workaday citizens in town, bush, or diggings, but as barristers, judges, bankers, stock-owners, mine-owners, as honoured leaders in municipal and political life, as Speakers of the Representative Assemblies, and as Ministers and Prime

Ministers of the Crown.* It is true, and the fact cannot surprise us, that the intestinal divisions of race and creed in Ireland itself, stereotyped there by ages of bad government, were at first to a certain extent reproduced in Australia, as in Canada. Aggressive Orangeism was to be found sowing discord where no cause for discord existed. But the common sense of the community and the pure air of freedom tended to sterilize, though they have not to this day wholly killed, these germs of disease. A career was opened to every deserving Irishman, whether Catholic or Protestant. Hungry, hopeless, listless cottiers from Munster and Connaught built up flourishing towns like Geelong and Kilmore. Two Irishmen, Dunne and Connor, were the first discoverers of the Ballarat goldfields. An Irishman, Robert O'Hara Burke, led the first transcontinental expedition, and another Irishman, Ambrose Kyte, financed it; Wentworth was the father of Australian liberties. An Irish Roman Catholic, Sir Redmond Barry, founded the Public Library, Museum, and University of Melbourne. In the political annals of Victoria and New South Wales the names of Irish Catholics, men to whom no worthy political career was open in their own country, were prominent. Sir John O'Shanassy, for example, was three times Prime Minister of Victoria, Sir Brian O'Loughlen once. Sir Charles Gavan Duffy, a member of O'Shanassy's Cabinets, and at last Prime Minister himself, is the colonial statesman whose career and personality are the best proof of what Ireland has lost in high-minded, tolerant, constructive statesmanship, through a system which silenced or drove from her shores the men who loved her most, who saw her faults and needs with the clearest eyes, and who sought to unite her people on a footing of self-reliance and mutual confidence. One of the ablest of O'Connell's young adjutants, editor and founder of the *Nation*, part-organizer of the Young Ireland Movement which united men of opposite creeds in one of the finest national movements ever organized in any country, Duffy's central aim had been to give Ireland a native Parliament, where Irishmen could solve their own problems for themselves. He saw the rebellion of 1848 fail, and Mitchell, Smith O'Brien, Meagher, McManus,

* Full information may be found in "The Irish in Australia," by J. F. Hogan.

and O'Donoghue transported to Tasmania; he laboured on himself in Ireland for seven years at land reform and other objects, and in 1855 gave up the struggle against such hopeless odds, and reached Melbourne early in 1856 in time to sit in the first Victorian Parliament returned under the constitutional Act of 1855. From the beginning to the end of an honourable political career which lasted thirty years, he made it his dominant purpose to ensure that Australia should be saved from the evils which cursed Ireland; from government by a favoured class, from land monopoly, and from religious inequality and the venomous bigotries it engenders, and he took a large share in bringing about their exclusion. His Land Act of 1862, for example, where he had another Roman Catholic Irishman, Judge Casey, as an auxiliary, put an end in those districts where it was fairly worked to the grave abuses caused by the speculative acquisition of immense tracts of land by absentee owners, and promoted the closer settlement of the country by yeoman farmers.

In Australia, as in Canada, we see the vital importance of good land laws, and can measure the misery which resulted in Ireland from an agrarian system incalculably more absurd and unjust than anything known in any other part of the Empire. The stagnation of Western Australia was originally due to the cession of huge unworkable estates to a handful of men. South Australia was retarded for some little time from the same cause, and Victoria and New South Wales were all hampered in the same way. It was not a question, as in Ireland, and to a less degree in Prince Edward Island, of the legal relations between the landlord and tenant of lands originally confiscated, but of the grant and sale of Crown lands. Yet the after-results, especially in the check to tillage and the creation of vast pasture ranches, were often very similar.*

Duffy was not the only colonial statesman to apply Irish experience to the problems of newly settled countries. An Englishman who became one of the greatest of colonial statesmen and administrators, the Radical Imperialist, Sir George Grey, began life as a Lieutenant on military service in Ireland in the year 1829, and came away sick with the scenes he had

* For an excellent historical description of the various Australian land systems, see the official "Year-Book of the Commonwealth," 1909.

witnessed at the evictions and forced collections of tithes where his troops were employed to strengthen the arm of the law. "Ireland," his biographer, Professor Henderson, tells us,* "was to him a tragedy of unrealized possibilities." The people had "good capacities for self-government," but Englishmen "showed a vicious tendency to confuse cause and effect," and attributed to inherent lawlessness what was a revolt against bad economic conditions. "All that they or their children could hope for was to obtain, after the keenest competition, the temporary use of a spot of land on which to exercise their industry"; "for the tenant's very improvements went to swell the accumulations of the heirs of an absentee, not of his own." "Haunted by the Irish problem," Grey made it his effort first in South Australia, and afterwards in New Zealand, where he was both Governor and Premier at various times, to secure the utmost possible measure of Home Rule for the colonists, and, in pursuance of a policy already inaugurated by Edward Gibbon Wakefield, to establish a land system based, not on extravagant free grants, or on private tenure, but on sales by the State to occupiers at fair prices. The aim was to counteract that excessive accumulation of people in the large cities which, thanks to imperfect legislation, still exists in most of the Australian States. Subsequent New Zealand land policy has been generally in the right direction, and is acknowledged to be highly successful. In the Australian mainland States the absentee and the squatter caused constant difficulties and occasional disorder. The Commonwealth at the present day is suffering for past neglect, and has found itself within the last year compelled to imitate New Zealand in placing taxes on undeveloped land, with a higher percentage against absentees.

Let us add that Grey, like Duffy and most of the strongest advocates of Home Rule for the Colonies, was a Federalist long before Federation became practical politics, seeing in that policy the best means of achieving the threefold aim of giving each Colony in a group ample local freedom, of binding the whole group together into a compact, coherent State, and of strengthening the connection between that State and the Mother Country. As Governor at the Cape from 1854 to 1861

* "Life of Sir George Grey," Professor G. C. Henderson.

he vainly urged the Home Government to promote a Federal Union of the various South African States, Dutch and British, in order, as he said, to create "an United South Africa under the British flag," a scheme which, it is generally agreed, could then have been carried out, and which would have saved South Africa from terrible disasters. And he wished to apply the same Federal principle to the Australian Colonies, and to the case of Ireland and Great Britain.

He realized earlier than most men that the talk of "separation" and "disloyalty" was, in his own words already quoted, the result of a "vicious tendency to confuse cause and effect," and that to govern men by their own consent, to let them work out their own ideals in their own way, to encourage, not to repress, their sense of nationality, is the best way to gain their affection, or, if we choose to use that very misleading word, their loyalty.

Australia and New Zealand present remarkable examples of this beneficent process, Australia in particular, because there, for a long time even after the introduction of responsible government and, indeed, until a dozen years ago, there was a large party of so-called "disloyalists" who were never weary of decrying British influences and upholding Australian nationality. Mr. Jebb, in his "Colonial Nationalism," gives an interesting account of this movement and of its organ, the widely circulated *Sydney Bulletin*, with its furiously anti-British views, its Radicalism, its Republicanism, and what not. He shows amusingly how entirely harmless the propaganda really was, and what a healthy effect it actually had in promoting an independence of feeling and national self-respect among Australians, to such a degree that when the South African War broke out, there was a universal outburst of patriotism and a universal desire, which was realized, to share to the full as a nation in the expense, danger, and hardships of the war. Mr. Jebb adds the interesting suggestion that the reluctance of New Zealand to enter the Australian Federation may be partly due to the strong individual sentiment of nationality evoked within her by the war and the exceptional exertions she made to aid the Imperial troops.

His book is a psychological study of men in the mass. What he sets out to prove, and what he does successfully prove, is that the encouragement of minor nationalities is not merely

consistent with, but essential to, the unity of the Empire. Yet he never mentions Ireland, not even for the purpose of proving her an exception to the rule, and I do not think I ever gauged the full extent of the prejudice against that country until I realized that in such a book such a topic did not receive even a line of notice; yet one would naturally suppose that it was as important to the Empire, morally and strategically, to possess the affection and respect of four and a half million citizens within 60 miles of the British coast as of the same number of citizens at the Antipodes.

Mr. Jebb is a Unionist. How he reaches his conclusion I do not know. It would seem to be beyond human power to construct a case against Home Rule for Ireland, with its strongly marked individuality of character and sentiment, which did not textually stultify his case for the more distant dependencies. His party generally is in sympathy with the views expressed in his book, and has done much to further them. How do they reconcile them with opposition to Home Rule for Ireland? How do they explain away the support for that policy in the Dominions? It seems to me that their only resource would be to say: "We are bound to maintain, and we have the necessary physical force to maintain, the present political system in Ireland, because to alter it would impair the formal legislative 'unity' of the United Kingdom; but let us frankly admit that as long as we take this view there can be no 'Union' in the highest sense of the word. Ireland must be retarded and estranged. We cannot raise Territorial Volunteers within her borders; on the contrary, we must keep and pay for a standing army of police to preserve our authority there. Her population must diminish, her vital energy ebb away to other lands; as a market for our goods and as a source of revenue for Imperial purposes she must remain undeveloped and unprogressive. She will continue rightly to agitate for Home Rule, and this agitation will always be baneful both to her and to us. It will distract her energies from her own economic and social problems. It will embitter and degrade our politics, and dislocate our Parliamentary institutions. She must suffer, we must suffer, the Empire must suffer. It is sad, but inevitable."

Morality aside, is that common sense? Is it strange that

the Colonies themselves regard such logic, when applied to Ireland, as perverted and absurd ?

Before leaving Australia we have only to recall the fact that at the close of the last century, after a generation of controversy and negotiation, the Canadian example of 1867 was at length imitated, and the Federal Union formed which amalgamated all the mainland States, together with Tasmania, in the Commonwealth of Australia, and that the Union was sanctioned and legalized by the Imperial Act of 1900. New Zealand preferred to remain a distinct State. The Australians departed in some important respects from the Canadian model, the main difference being that a greater measure of independence was retained by the individual States, and smaller powers delegated to the central Government. This was a matter of voluntary arrangement as between the States themselves, the Home Government standing wholly aside on the sound principle that Australia knew its own interests best, and that what was best for Australia was best for the Empire.

CHAPTER VII

SOUTH AFRICA AND IRELAND

In the years 1836-37, when Wentworth was agitating for self-government in New South Wales, and when Canada was in rebellion for the lack of it, thousands of waggons, driven by men smarting under the same sort of grievance, were jolting northward across the South African veld bearing Dutch families from the British Colony of the Cape of Good Hope to the new realms we now know as the Orange River Colony and the Transvaal. The "Great Trek" was a form of protest against bad government to which we have no parallel in the Empire save in the wholesale emigrations from Ireland at various periods of her history—after the Treaty of Limerick, again after the destruction of the wool trade, again in 1770-1777, after the Ulster evictions, and lastly after the great famine. The trekkers, like the Irish emigrants, nursed a resentment against the British Government which was a source of untold expense and suffering in the future. Indeed, the whole history of South Africa bears a close resemblance to the history of Ireland. In no other part of the Empire, save in Ireland, was the policy of the Home Government so persistently misguided, in spite of constantly recurring opportunities for the repair of past errors. Fatality seems from first to last to have dogged the footsteps of those who tried to govern there. Before the British conquest the Dutch East India Company and the Netherlands Government were as unsuccessful as their British successors, whose legal claim to the Cape, established for the second time by conquest in 1806, was definitely confirmed by the Congress of Vienna in 1815. The Dutch colonists were a fine race of men, whose ancestors, like the Puritan founders of New England, had fled in 1652 from religious persecution, and who retained the virile qualities of their race. Though in

many respects they resembled the backward and intensely conservative French-Canadian inhabitants, they differed from them, and resembled their closer relatives in race, the New Englanders, in an innate passion for free representative government. They had rebelled repeatedly against their Dutch oppressors, and had gone through a brief Republican phase. It is an example, therefore, of the thoughtless inconsequence of our old colonial policy that we gave the French-Canadians, who were the least desirous of it, the form, without the spirit, of representative institutions, while we denied, until it was too late to avert racial discord, even the form to the Cape Dutch. In truth, the Colony seems to have been regarded purely in the light of a naval station, while the British and Irish inflow of settlers, dating from about the year 1820, contemporaneously with the advent of free settlers in Australia, suggested the possibility of racial oppression by the Dutch majority. Yet if there was little real reason to fear oppression by the French in Canada, there was still less reason to fear such oppression in the Cape, where Dutch ideals and civilization were far more similar to those of the British. In America the absorption of the Dutch Colonies in the seventeenth century had led to the peaceful fusion of both races, nor was there any reason why, under wise rule, the same fusion should not have occurred in South Africa. Until 1834 authority was purely military and despotic. In that year was established a small Legislative Council of officials and nominated members, with no representative element. In 1837 came the Great Trek.

No one disputes that the Dutch colonists had grievances, without the means of redress. As usual, we find a land question in the shape of enhanced rents charged by Government after the British occupation; the Dutch language was excluded from official use, and English local institutions were introduced with unnecessary abruptness; but the principal grievance concerned the native tribes. Slavery existed in the Colony, and its borders were continually threatened by these tribes. The Dutch colonists were often terribly brutal to the natives; nevertheless there is little doubt that a tactful and sympathetic policy could easily have secured for them a more humane treatment, and the abolition of slavery without economic dislocation. But a strong humanitarian sentiment was

sweeping over England at the time, including in its range the negro slaves of Jamaica and the unconquered Kaffirs of South Africa, but absolutely ignoring, let us note in passing, the economic serfdom of the half-starved Irish peasantry at our very doors. Members of this school took too little account of the tremendous difficulties faced in South Africa by small handfuls of white colonists in contact with hordes of savages. The Colonial Government, with a knowledge of the conditions gained only from well-meaning but somewhat prejudiced missionaries, endeavoured from 1815 onwards to enforce an impracticable equality between white and coloured men, and abolished slavery at one sudden stroke in 1833 without reasonable compensation. A large number of the Dutch, unable to tolerate this treatment, deserted the British flag. Those that remained were under suspicion for more than thirty years, so that political progress was very slow. It was not till 1854 that the Colony received a Representative Assembly, and not until 1872, eighteen years later than in Australia, and twenty-five years later than in Canada, that full responsible government was established.

Piet Retief, one of the leaders of the voluntary exiles, had published a proclamation in the following terms before he joined the trek : " We quit this Colony under the full assurance that the English Government has nothing more to require of us, and will allow us to govern ourselves without its interference in the future. We are now leaving the fruitful land of our birth, in which we have suffered enormous losses and continual vexation, and are about to enter a strange and dangerous territory ; but we go with a firm reliance on an all-seeing, just, and merciful God, whom we shall always fear and humbly endeavour to obey." This was high language, yet after-events proved that a steady, consistently fair treatment on our part would even then have reconciled these men to a permanent continuance of British sovereignty. Unfortunately, our policy oscillated painfully between irritating interference and excessive timidity. First of all attempts were made to stop the trek by force, then to compel the trekkers to return by cutting off their supplies and ammunition, then to throttle their development of the new lands north of the Orange and Vaal Rivers by calling into being fictitious

native States on a huge scale in the midst of and around them, then tardily to repair the disastrous effects of this policy; but not before it had led to open hostilities (1845). Hostilities, however, had this temporarily good result, in that it brought to the front one of the ablest and wisest of the Cape Governors, Sir Harry Smith, who defeated the Boers at Boomplatz in 1848, established what went by the name of the Orange River Sovereignty, and in a year or two secured such good and peaceful government within its borders as to attract considerable numbers of English and Scotch colonists. The malcontents retired across the Vaal. Then came an abrupt change of policy in the Home Government, a sudden desire actuated mainly by fear of more native wars, to cancel all that was possible of our commitments in South Africa. The Transvaal, by the Sand River Convention, was declared independent in 1852, the Orange Free State, by the Convention of Bloemfontein, in 1854. This was to rush from one extreme to the other. It was as though in 1847 we had erected Quebec into a sovereign State instead of giving it responsible government under the Crown, or as if in 1843 we had been so deeply convinced by O'Connell's second agitation for repeal that we had leapt straight from coercive government to the foundation of an independent Republic in Ireland, instead of giving her the kind of Home Rule which she was asking for.

It was not yet too late to mend. In 1854, when the cession of the Free State had just been carried out, Sir George Grey, whom we have met with in Australia and New Zealand, came as High Commissioner to the Cape. In 1859 he made the proposal I alluded to in the last chapter for federating all the South African States, including the two new Republics. There is little doubt that the scheme was feasible then. The Orange Free State was willing to join, and, indeed, had initiated proposals for Federation. Its adhesion would have compelled the Transvaal, always more hostile to British rule, to come in eventually, if not at once; for the relations of the two Republics were friendly enough at the time to permit one man, Pretorius, to be President of both States.

The scheme was rejected by Lord Derby's Tory Cabinet, and Grey, a "dangerous man," as Lord Carnarvon, the Colonial Secretary, dubbed him, was recalled.

Sixteen years later, in 1875, Lord Carnarvon himself, as a member of the Disraeli Ministry, revived the project. Converted in his views of the Colonies, like many of his Tory colleagues at this period, he had carried through Parliament the Federation of Canada in 1867, and hoped to do the same with South Africa. But it was too late. The Cape Parliament, now in possession of a responsible Ministry, was hostile, while twenty years of self-government, for the most part under the great President Brand, had changed the sentiments of the Free State. Federation, then, was impossible. On the other hand, the Transvaal was in a state of political unrest and of danger from native aggression, which gave a pretext for reversion to the long-abandoned policy of annexation, and to that extreme Carnarvon promptly went in April, 1877. He took this dangerous course without ascertaining the considered wishes of the majority of the Boers, acting through his emissary, Sir T. Shepstone, on the informal application of a minority of townsmen who honestly wished to come under British rule.

Rash as the measure was, lasting good might have come of it had the essential step been taken of preserving representative government. The promise was given and broken. For three years the Assembly, or Volksraad, was not summoned. Once more home statesmanship was blind, and local administration blunderingly oppressive. Shepstone was the wrong man for the post of Administrator. Sir Owen Lanyon, his successor, was an arrogant martinet of the stamp familiar in Canada before 1840, and painfully familiar in Ireland. The refusal of an Assembly naturally strengthened the popular demand for a reversal of the annexation, and this demand, twice pressed in London through a deputation headed by Paul Kruger, obscured the whole issue, and raised a question of British national pride, with all its inevitable consequences, where none need have been raised. There was a moment of hope when Sir Bartle Frere, who stands, perhaps, next to Sir George Grey on the roll of eminent High Commissioners, endeavoured to pacify the Boer malcontents, and drafted the scheme of a liberal Constitution for the Transvaal. But one of the last acts of the Tory Government, at the end of 1879, was to recall Frere for an alleged transgression of his powers in regard to the Zulu War, and to pigeon-hole his scheme. Mr. Gladstone, who in

opposition had denounced the annexation with good enough justification, though in terms which under the circumstances were immoderate, found himself compelled to confirm it when he took office in April, 1880. But he, too, allowed the liberal Constitution to sleep in its pigeon-hole. He was assured by the officials on the spot that there was no danger, that the majority were loyal, and only a minority of turbulent demagogues disloyal; and in December, 1880, the rebellion duly broke out, and the Transvaal Republic was proclaimed. What followed we know, war, Laing's Nek, Majuba, and one more violent oscillation of policy in the concession of a virtual independence to the Transvaal.

Whatever we may think of the policy of this concession, and Lord Morley has made the best case that can be made for Mr. Gladstone's action, it is certain that it was only a link in a long chain of blunders for which both great political parties had been equally responsible, and of which the end had not yet come. The nation at large, scarcely alive until now to the existence of the Colonies, was stung into Imperial consciousness by a national humiliation, for so it was not unnaturally regarded, coming from an obscure pastoral community confusedly identified as something between a Colony, a foreign power, and a troublesome native tribe. The history of the previous seventy years in South Africa was either unknown or forgotten, and Mr. Gladstone, who in past years had preached to indifferent hearers the soundest and sanest doctrine of enlightened Imperialism, suddenly appeared, and for ever after remained in the eyes of a great body of his countrymen, as a betrayer of the nation's honour. Resentment was all the greater in that it was universally believed that Laing's Nek and Majuba were unlucky little accidents, and that another month or two of hostilities would have humbled the Boers to the dust.

This illusion, which is not yet eradicated, and which has coloured all subsequent discussion of the subject, lasted unmodified until the first months of the war in 1899, when events took place exactly similar to Laing's Nek and Majuba, and were followed by a campaign lasting nearly three years, requiring nearly 500,000 men for its completion, and the co-operation of the whole Empire. It is impossible to estimate the course events would have taken in 1881 had the war been

prolonged. If the Free State had joined the Transvaal, it may be reasonably conjectured that we should have been weaker, relatively, than in 1899. Though the Boers were less numerous, less well organized, and less united as a nation in 1881, they were even better shots and stalkers than in 1899, because they had had more recent practice against game and natives; nor was there a large British population in the Transvaal to counteract their efforts and supply magnificent corps like the Imperial Light Horse for service in arms against them. Our army, just as brave, was in every other respect, especially in the matter of mounted men and marksmanship, less fitted for such a peculiar campaign, and could have counted with far less certainty upon that assistance from mounted colonial troops without which the war of 1899-1902 could never have been finished at all. Our command of the sea was less secure; the Egyptian War of 1882 was brewing, and Ireland, where the Great Land Act of 1881 was not yet law, was seething with crime and disorder little distinguishable from war itself, and demanding large bodies of troops.

If the further course of a war in 1881 is a matter of speculation, what we all know for certain is, first, that the conditions which led to war were produced by seventy years of vacillating policy, and, second, that war itself would have been a useless waste of life and treasure, unless success in it had been followed, as in 1906, by the grant of that responsible Government which all along had been the key to the whole difficulty, the condition precedent to a Federal Union of the South African States, and to their closer incorporation in the Empire.

Few persons realized this at the time. The whole situation changed disastrously for the worse. Arrogance and mutual contempt embittered the relations of the races. Then came a crucial test for the Boer capacity for enlightened and generous statesmanship. Gold was discovered in the Transvaal, and a large British population flocked in. The same problem, with local modifications, faced the Boers as had been faced in Upper and Lower Canada, and for centuries past in Ireland. Were they to trust or suspect, to admit or to exclude from full political rights, the new-comers? Was it to be the policy of the Duke of Wellington or of the Earl of Durham, of Fitzgibbon or the Volunteers? They chose the wrong course, and set up

an oligarchical ascendancy like the "family compact" of Upper Canada and Nova Scotia. Can we be surprised that they, a rude, backward race, failed under the test where we ourselves, with far less justification, had failed so often? Their experience of our methods had been bad from first to last. Their latest taste of our rule had been the coercive system of Lanyon, and they feared, with only too good reason, as events after the second war proved, that any concession would lead to a counter-ascendancy of British interests in a country which was legally their own, not a portion of the British dominions. We had suffered nothing, and had no reason to fear anything, from the Irish and French-Canadian Catholics, nor from the Nonconformist Radicals of Upper Canada. It would have been well if a small fraction of the abuse lavished on the tyrannical Boer oligarchy six thousand miles away had been diverted into criticism of the government of a country within sixty miles of our shores, where a large majority of the inhabitants had been for generations asking for the same thing as the Uitlander minority in the Transvaal—Home Rule—and were stimulated to make that demand by grievances of a kind unknown in the Transvaal.

But the British blood was up; the Boer blood was up. Such an atmosphere is not favourable to far-seeing statesmanship, and it would have taken statesmanship on both sides little short of superhuman to avert another war. The silly raid of 1895 and its condonation by public opinion in England hastened the explosion. Can anyone wonder that public opinion in Ireland was instinctively against that war? Only a pedant will seize on the supposed paradox that a war for equal rights for white men should have met with reprobation from an Ireland clamouring for Home Rule. Irish experience amply justified Irishmen in suspecting precisely what the Boers suspected, a counter-ascendancy in the gold interest, and in seeing in a war for the conquest of a small independent country by a mighty foreign power an analogy to the original conquest of Ireland by the same power. It is hard to speak with restraint of the educated men—men with books and time to read them, with brains and the wealth and leisure to develop them—who to this very day abuse their talents in encouraging among the ignorant multitude the belief that the Irish leaders

of that day were, to use the old hackneyed phrase, "traitors to the Empire." If we look at the whole of these events in just perspective, if we search coolly and patiently for abiding principles beneath the sordid din and confusion of racial strife, we shall agree that in some respects Irishmen were better friends to the Empire than the politicians who denounced them, and sounder judges of its needs. Yet there can be no doubt that the Transvaal complications, followed unhappily by the Gordon episode in the Soudan, reacted fatally on Ireland, and that the Irish problem in its turn reacted with bad effect on the Transvaal. When the statesman who refused to avenge Majuba in 1881 proposed his Irish Home Rule Bills in 1886 and 1893, it was easy for prejudiced minds to associate the two policies as harmonious parts of one great scheme of national dismemberment and betrayal. Boers, Irish, and Soudanese savages, all were confusedly lumped together as dangerous people whom it was England's duty to conquer and coerce.

The South African War of 1899-1902 came and passed. People will discuss to the end of time whether or not it could have been avoided. Parties will differ to the end of time about its moral justification. For my own part, I think it is pleasanter to dwell on the splendid qualities it evoked in both races, and above all on the mutual respect which replaced the mutual contempt of earlier days. I myself am disposed to think that at the pass matters had reached in 1896 nothing but open war could have set the relations of the two races on a healthy footing.

But bold and generous statesmanship was needed if the fruits of this mutual respect were to be reaped. The defeated Republics were now British Colonies, their inhabitants British subjects. After many vicissitudes we were back once more in the old political situation of 1836 before the Great Trek, and the policy which was right then was right now. Bitter awakening as it was to our proud people after a war involving such colossal sacrifices, it was still just as true as of old that in Ireland, Canada, Australia, South Africa, or anywhere else, it is utterly impossible for one white democracy to rule another properly on the principle of ascendancy. It was physically possible, thanks to Ireland's proximity, to deny that country Home Rule, but it would not have been even physically possible

in the Transvaal and Orange River Colony. Yet the idea was conceived and the policy strongly backed which could only have had the disastrous effect of bringing into being two Irelands in the midst of our South African dominions. It is not yet generally recognized that we owe the defeat of this policy in the first instance to Lord Kitchener. From the moment he took the supreme military command in South Africa at the end of 1900, while prosecuting the war with iron severity and sleepless energy, he insisted on and worked for a settlement by consent, with a formal promise of future self-government to the Boers. In this he was in sharp opposition to Lord Milner, who desired to extort an unconditional surrender. Of these two strong, able, high-minded men, the soldier, curiously enough, was the better statesman. In temperament he recalls the General Abercromby of 1797 on the eve of the Irish rebellion, still more perhaps General Carleton, who administered French Canada in the critical period after its conquest and during the American War. Lord Milner, in political theory, not in personality, corresponds to Fitzgibbon. His view was that British prestige and authority could only be maintained in the future by thus humbling the national pride of our adversaries, who, moreover, by the formal annexations of 1900, carried into effect when the war was still young, were by a legal fiction rebels, not belligerents. Lord Kitchener, besides seeing, as the responsible soldier in the field, the sheer physical impossibility of lowering the Boer national pride by any military operations he had the power to undertake, from the beginning of the guerilla war onwards, was a truer judge of human nature and a better Imperialist at heart in realizing that the self-respect of the Boers was a precious asset, not a dangerous menace to the Empire, and that the whole fate of South Africa depended on a racial reconciliation on the basis of equal political rights, which would be for ever precluded by compelling the Boers to pass under the Caudine Forks.

Fortunately Lord Kitchener was supported by the Home Government, and the Peace of Vereeniging took the form of a surrender on terms, or, virtually, of a treaty, formally guaranteeing, among other things, the concession "when circumstances should permit" of "representative institutions leading

up to self-government." The next ordeal of British statesmanship came when the time arrived in 1905 to redeem this promise. There were two distinctly defined alternatives: one, to profit by experience and to give responsible government at once; the other, for the time being, to copy one of the constitutional models which had long been obsolete curiosities in the history of all the white Colonies, which had never failed to produce mischievous results, whether in a bi-racial or a uni-racial community, and which were in reality suited only to groups of officials and traders living in the midst of uneducated coloured races in tropical lands. The Government, and we cannot doubt that their traditional policy toward Ireland warped their views, declared for the latter alternative, and issued under Letters Patent a Constitution which happily never came into force. Like the Act of Union with Ireland, it gave the shadow of freedom without the substance. It set up a single Legislative Chamber, four-fifths elective, but containing, as *ex-officio* members, the whole of the Executive Council as nominated by the Crown. Executive power, therefore, together with the last word in all legislation, was to remain wholly in the hands of the Crown, acting through a Ministry not responsible to the people's representatives. It would have been difficult to design a plan more certain to promote friction, racialism, and an eventual deadlock, necessitating either a humiliating surrender by the Government under pressure of the refusal of supplies, or a reversion to despotic government which would have produced another war. With wide differences of detail and with the added risk of financial deadlock, it was sought to establish the kind of political situation prevalent in Ireland after the Act of Union. The executive power in that country, and, with the exception of the Department of Agriculture, the policy and personnel of the host of nominated Boards through which its affairs are administered, still stand wholly outside popular control, while legislation in accordance with Irish views is only possible when, in the fluctuation of the British party balance, a British Ministry happens to be in sympathy with these views, and only too often not even then.

Statesmen who looked with complacency on the history of a century in Ireland under such a system naturally took a

similar view of the Transvaal, deriving it from the same low estimate of human tendencies. The literature, despatches, and speeches of the period carry us straight back to the Canadian controversies of 1837-1840, and beyond them to the Union controversy of 1800. In one respect the parallel with the Irish Union is closer, because, while British opinion in Lower Canada was predominantly against responsible government, there was in Ireland a strong current of unbribed Protestant opinion against the Union. Similarly, in the Transvaal, there was a strong feeling among a section of the British population, coinciding with the general wishes of the Dutch population, in favour of full responsible government. In other words, the mere prospect of self-government lessened racial cleavage, brought men of the two races together, and began the evolution of a new party cleavage on the normal lines natural to modern communities. The whole question was keenly canvassed at public meetings and in the Press from November, 1904, to February 5, 1905, and in Johannesburg a British party of considerable strength took the lead in demanding the fuller political rights, and formed the Responsible Government Association. The controversy was embodied in a Blue-Book laid before Parliament,* and at every stage of its progress the facts were cabled home by Lord Milner to the Government, who thus had the whole situation before them when they came to their decision.

It would be worth the reader's while to study with some care the terms of the despatch announcing that decision.† He will feel himself in contact with fundamental principles, undisturbed by individual bias; for no one could suspect Mr. Lyttelton, the genial and popular Secretary of State who penned the despatch, of any violent prejudices. Yet the spirit of the whole despatch, though gentle and persuasive in its terms, is the spirit of Fitzgibbon's brutally outspoken argument for the extinction of the Irish Parliament, and the complete exclusion of Irish Roman Catholics from influence over their country's affairs. The despatch begins, it is true, by explaining that the proposed Constitution is only intended to be temporary; that it had been the invariable custom to grant freedom to the Colonies by degrees, and that the custom

* Cd. 2479, 1905. † Cd. 2400, 1905.

must be followed; but the reasons adduced for following it, if we consider that they were adduced in the year 1905, instead of a century and a half back, constitute one of the strangest of all the strange inversions of historical cause and effect which a Home Rule controversy has ever suggested to the human brain. Instead of inferring from our bitter experiences in Upper and Lower Canada, which are mentioned in the despatch, and in Ireland, which is not, that race distinctions increase instead of lessening the necessity for responsible government, Mr. Lyttelton complacently quotes bi-racial Lower Canada as a precedent for his Transvaal Constitution. Quite frankly, though in curiously misleading terms,* he records the fact that a similar Constitution there led to deadlock and rebellion. Without intention to deceive, he ignores the fact that wholly British Upper Canada reached the same pass for the same reasons; and he appears to look forward with equanimity to the passage of the unfortunate Transvaal through an identically painful phase of history toward the

* "It is true that in the case of Canada full responsible government was conceded, a few years after a troublous period culminating in a brief armed rising, to a population composed of races then not very friendly to each other, though now long since happily reconciled. But the Canadas had by that time enjoyed representative institutions for over fifty years, the French-Canadians had since the year 1763 been continuously British subjects, and the disorders which preceded Lord Durham's Mission and the subsequent grant of self-government could not compare in any way with a war like that of 1899-1902. It is also the fact that in the United Colony of Upper and Lower Canada, during the period of 1840-1867, parties were formed mainly upon the lines of races, and that, as the representatives of the races were in number nearly balanced, stability of Government was not attained, a difficulty which was not overcome until the Federation of 1867, accompanied by the relegation of provincial affairs to provincial Legislatures, placed the whole political Constitution of Canada upon a wider basis."

Few would gather from the first sentence that the races were "not very friendly to each other" precisely because they lived under a coercive political system; and that, in the long-run, they were "happily reconciled" because they received responsible government. Nor could it be deduced from the obscure reference lower down to the union of the two Provinces that the Union was the one blot upon Durham's scheme, the one point in which, fearing the predominance of a French majority in Lower Canada, he shrank from his own principles and recommended an unworkable Union which tended to encourage the formation "of parties on the lines of races." From the further allusion to the Federal Union of 1867, no one would imagine that that great scheme was founded on a cessation of racial antipathy inside the Quebec Province, and on a voluntary recognition among all races and parties that it was best for that Province to have a local autonomy of its own, parallel with that of the Ontario Province and under the supreme central authority of the Dominion.

same sanguinary climax. The radical error in the official version of events in Canada appears in the comparison between the rebellions of 1837 and the South African War of 1899-1902. To contrast the "brief armed rising" in Canada with the three years' war in South Africa, and to argue that a degree of freedom could safely be given after the former, which would involve great danger after the latter, was to show ignorance of the chain of historical events and blindness to their true moral. The underlying idea is the one applied to the old American Colonies and for centuries to Ireland, namely, that the more mutinous a dependency is, the less reason for giving it Home Rule, with the paradoxical corollary applied even to this day in Ireland, that if it is not disorderly it does not need Home Rule. So from age to age statesmen run their heads against facts, perpetuate the errors of their forefathers, and do their unconscious best to intensify the evils they deplore. It was erroneous to regard either the Canadian Rebellions or the Boer War as events which rendered responsible government more or less dangerous. Each of these events was itself the climax of a long period of irresponsible misgovernment dating from about the same period, the second decade of the nineteenth century, and demanding the same remedy. In the Boer case, continuity was twice broken by grants of independence, and the climax proportionally delayed, but the origin of the trouble was the same. If the Boers had not trekked *en masse* from Cape Colony in order to escape from misgovernment, both movements—in the Cape and Canada—might have come to a head in exactly the same year, 1837.

In sober, weighty, tactful phrases, carefully chosen to avoid giving needless offence to the Dutch, the despatch laboriously overthrows the Liberal theory of government, and works out the negation of all Imperial experience. It deplores the "bitter memories" of war, which free institutions, by tending to "emphasize and stereotype the racial line," will make more, not less bitter, and which can be effaced only by the "healing effect of time." We think of the Durham Report, of Ireland, and marvel. We recollect the bulky Blue-Book at Mr. Lyttelton's elbow as he wrote, full of speeches and articles by Englishmen, showing quite correctly, as has since been proved, that the "racial line" in Johannesburg was growing fainter

daily with the mere prospect of responsible government. These men were not afraid of the Dutch, and said so. The answer was that they ought to be; or, in the persuasive language of diplomacy, as follows:

"His Majesty's Government trust that those of British origin in the Transvaal who, with honest conviction, have advocated the immediate concession of full responsible government, will recognize the soundness and cogency of the reasons, both in their own interests and in those of the Empire, for proceeding more cautiously and slowly, and that under a political system which admittedly has its difficulties they will, notwithstanding a temporary disappointment, do their best to promote the welfare of the country and the smooth working of its institutions."

Then came a chivalrous compliment to the Dutch for their "gallant struggle" in the war, coupled with a reminder that they are not to be trusted with political power, a reminder so courteously worded that it, too, becomes a compliment:

"The inhabitants of Dutch origin have recently witnessed, after their gallant struggle against superior power, the fall of the Republic founded by the valour and sufferings of their ancestors, and cannot be expected, until time has done more to heal the wound, to entertain the most cordial feelings towards the Government of the Transvaal. But from them also, as from a people of practical genius, who have learned by long experience to make the best of circumstances, His Majesty's Government expect co-operation in the task of making their race, no longer in isolated independence, a strong pillar in the fabric of a world-wide Empire. That this should be the result, and that a complete reconciliation between men of two great and kindred races should, under the leading of Divine Providence, speedily come to pass, is the ardent desire of His Majesty the King and of His Majesty's Government."

The tone recalls the tone of Pitt and Castlereagh in proposing the Union. But Fitzgibbon went more directly to the point in saying outright that, Ireland having been conquered and confiscated, the colonists "were at the mercy of the old inhabitants of the island," and that laws must be framed by an external power to "meet the vicious propensities of human

nature." Let us recognize unreservedly that the words of the Transvaal despatch were the outcome of deep and sincere conviction. That is the worst of it. From age to age Ireland has to suffer for the depth and sincerity of these convictions. There, too, the cleavage of race and religion, never complete, always defying the official efforts to "stereotype and emphasize it," to quote the despatch of 1905, grows fainter with time, and will grow fainter as long as the national movement lives to draw men together in the common interest of Ireland. The Volunteers, Wolfe Tone, Emmet, many of the Young Irelanders, Isaac Butt, Parnell, were Protestants. And there is a strong band of Protestant Home Rulers to-day in Ulster and out of it, landlords, tenants, capitalists, labourers, Members of Parliament, and clergymen, who declare that they are not afraid of Catholic oppression, and who are told by Unionists that they ought to be. And in Ireland, too, the Roman Catholic majority are told, rarely, it is true, in the courteous phrases of Mr. Lyttelton's despatch, that they "cannot be expected to entertain the most cordial feelings towards the Government." In Ireland, also, is a "political system which admittedly has its difficulties," ironical euphemism for a system whose analogue in the Transvaal could have been used by the subject race, had they so willed, to bring civil government to a standstill, without the means of furnishing anything better, and which under the Act of Union can be, and has been, used to dislocate the Parliamentary life of the United Kingdom. The Boers were asked "as a people of practical genius" to assist the "smooth working" of an unworkable Constitution, so as to promote the "reconciliation of two great and kindred races." The Irish are pursued with invective for legitimately using the constitutional power given them in order, while freeing Parliament from an intolerable incubus, to gain the right to elicit character and responsibility in themselves by shouldering their own burdens and saving their own souls.

If the official view of the Transvaal was mistaken, the summit of error was reached in the view taken of the Orange River Colony. In that Colony, which was almost wholly pastoral and Dutch, and which until the war had enjoyed free institutions uninterruptedly for half a century, and had made remarkably good use of them, representative government,

even of the illusory kind designed for the Transvaal, was to be indefinitely postponed, postponed at any rate until the results of the "experiment" in the Transvaal had been observed.

The Government "recognize that there are industrial and economic conditions peculiar to the Transvaal, which make it very desirable in that Colony to have at the earliest possible date some better means of ascertaining the views of the different sections of the population than the present system affords. The question as regards the Orange River Colony being a less urgent one, it appears to them that there will be advantage in allowing a short period to intervene before elective representative institutions are granted to the last-named Colony, because this will permit His Majesty's Government to observe the experiment, and, if need be, to profit by the experience so gained."

What is the train of reasoning in this strange specimen of political argument? It was important to "ascertain the views" of the bi-racial Transvaal, but needless to ascertain the views of the practically homogeneous Orange River Colony. The "question" there is a "less urgent one." What question? Why less urgent? Is it that the British minority, being so very small, is more liable to oppression by the Dutch? That is a tenable point, though by parity of reasoning it would seem to make the question more, not less, urgent, and the importance of "ascertaining the views" of the different sections of the population, greater, not less. Or is it the diametrically opposite train of thought, namely, that an assumed improbability of disorder owing to the homogeneity of the population is a reason, not for giving Home Rule, but for withholding it? These contradictions and confusions are painfully familiar in anti-Home Rule dialectics all over the world. A quiet Ireland does not want Home Rule; a turbulent Ireland is not fit for it. If the Unionist element in Ireland is strong, that is clearly an argument for withholding Home Rule in deference to the wishes of a strong minority. If the minority, on the other hand, is proved to be small, all the greater reason for withholding it, because oppression by the majority will be easier. So the sterile argument swings back and forth, and men still talk of "experiments"

and "profiting by experience," while the demonstration of their errors is written in the blood and tears of centuries, and while masses of facts accumulate, demonstrating the great truth that free democratic government, whatever its disadvantages and dangers—and it has both—is the best resource for uniting, strengthening, and enriching a community of white men.

The Transvaal Constitution of 1905 was cancelled on the incoming of the Liberal Ministry at the end of that year, and in the following year full responsible government was granted both to the Transvaal and Orange River Colony, with the results that we know. Instantaneously there permeated the bi-racial urban society in the Transvaal a new sense of brotherhood. Men of different race, as far apart in spirit as the members of the Kildare Street Club, the Orange Societies, and the Ancient Order of Hibernians, met and made friends because it was not only natural but necessary to make friends, since on all alike lay the burden of doing their best for their country on a basis of equal citizenship. Nobody out there called the new system an "experiment." The wrench once over, the thing once done, there was general unanimity that whatever the difficulties—and there were great difficulties—it was the right thing to be done under the circumstances, and if this unanimity was combined, rightly or wrongly, with a good deal of resentment against the Liberal attitude at home towards Chinese labour, nobody is any the worse for that. The day will come when even that burning question will be seen in its true perspective as an infinitesimally small point beside the great principle of responsible government, which includes the decision of labour questions, together with all other branches of domestic policy.

Conservative opinion at home has been slower to change than British opinion in the Transvaal. But, again, this was natural. Parties had long been divided on the South African question. The abrupt reversal of policy was felt as a humiliation, and the ingrained mental habits engendered by the traditional policy towards Ireland yielded slowly, grudgingly, and fearfully to the proof of error in South Africa. It is not for the sake of opening an old wound, but solely because it is absolutely necessary for the completion of my argument, that

I have to recall the angry and violent speeches which followed the announcement of the new policy; the dogmatic prognostications of Imperial disruption, of financial collapse, and of a cruel Boer tyranny in the emancipated Colonies; the charges of wanton betrayal of loyalists, of disgraceful surrender to "the enemy." Some of the leading actors in these scenes, notably Mr. Balfour and Mr. Lyttelton, have since acknowledged that they were wrong, while apparently feeling it their duty as honourable and loyal men to give a somewhat misleading turn to an old controversy in their praise of Lord Milner's services to South Africa. That Lord Milner, in his administration during and after the war, did, indeed, do a vast amount of sound and lasting work for South Africa is perfectly true, and he deserves all honour for it. Probably no public servant of the Empire ever laboured in its service with more unstinted devotion and a higher sense of duty. But good administration is not an adequate substitute for knowledge of men, and that knowledge Lord Milner lacked. He did no service to the British colonists of South Africa in telling them that they had been shamefully betrayed by the Home Government in 1906. It would have been wiser to advise them to rely on themselves and on the justice and wisdom of their Dutch fellow-citizens. His violent speeches in 1906-1908 about the calamitous results of permitting Dutch influences free play in South Africa—speeches breathing the essential spirit of Fitzgibbonism—would have wrought incalculable mischief had they coincided with effective British policy; while his view, as expressed in the House of Lords,* that a preparatory régime of benevolent despotism, showing "the obvious solicitude of the Government for the welfare of the people," and taking shape "in a hundred and one works of material advancement," would "win us friends and diminish our enemies," evinces an ignorance of the ordinary motives influencing the conduct of white men, which would be incredible if we had not Irish experience before us. "Twenty years of resolute government," said Lord Salisbury. "Home Rule will be killed by kindness," said many of his successors. In later chapters I shall have to show what well-meant kindness and resolute government have done for Ireland. If even at this late hour

* February 26, March 27, 1906.

Lord Milner would frankly acknowledge his error, I believe he would enormously enhance his reputation in the eyes of the whole Empire.

As practical men, let us remember that the Constitutions of 1906 would not have become law if, instead of being issued under Letters Patent, they had had to pass through Parliament in the form of a Bill. The whole Conservative party, following Lord Milner, was vehemently against the Letters Patent. Those who witnessed the debate upon them in the House of Commons will not forget the scene. I recall this fact without any desire to entangle myself in the current controversy about the Upper House, but with the strictly practical object of showing that because a Home Rule Bill is defeated in Parliament, as the Irish Bills of 1886 and 1893 were defeated, it does not necessarily follow that its policy is wrong. Nor does it follow that its policy is wrong if that defeat in Parliament is confirmed by a General Election. Home Rule for Canada never had to pass, and would not have passed even the Parliamentary test. Skilful and determined organization could have wrecked even the Australian Constitutions. No one, certainly, could have guaranteed a favourable result of a General Election taken expressly upon the Transvaal and Orange River Constitutions of 1906, with the whole machinery of one of the great parties thrown into the scale against them. We know the case made against Ireland on such occasions, and the case against the conquered Republics was made in Parliament with ten times greater force. If anyone doubts this, let him compare the speeches on Ireland in 1886 and 1893 with the speeches on South Africa in 1905-06. With the alteration of a name or two, with the substitution, for example, of Johannesburg for Ulster, the speeches against South African and Irish Home Rule might be almost interchangeable. For electioneering purposes, evidences, in word and act, of Boer treason, rapacity, and vindictiveness, could have been made by skilful orators to seem damning and unanswerable. All the arts for inflaming popular passion under the pretext of "patriotism" would have been used, and we know that patriotism sometimes assumes strange disguises. The material would have been rich and easily accessible. Instead of having to ransack ancient numbers of Irish or American newspapers for incautious

phrases dropped by Mr. Redmond or Mr. O'Brien in moments of unusual provocation, the speeches of Botha, Steyn, and De Wet, during the war, and even at the Peace Conference, would have been ready for the hoardings and the fly-sheets, and they would have had an appreciable effect.

Am I weakening the case for democracy itself in pressing this view? Surely not. One democracy is incapable of understanding the domestic needs and problems of another. Whenever, therefore, a democracy finds itself responsible for the adjudication of a claim for Home Rule from white men, it should limit itself to ascertaining whether the claim is genuine and sincere. If it is, the claim should be granted, and a Constitution constructed in friendly concert with the men who are to live under it. That way lies safety and honour, and, happily, the democracy is being educated to that truth. If this be a counsel of perfection; if the difficult and delicate task of settling the details of Irish Home Rule is to be hampered and complicated by the resuscitation of those time-honoured discussions over abstract principles which ought long ago to have been buried and forgotten, let every patriotic and enlightened man at any rate do his best to sweeten and mollify the controversy, to extirpate its grosser manifestations, and to substitute reason for passion.

The grant of responsible government to the Transvaal and Orange River Colony reacted with amazing rapidity on South African politics as a whole. It took the Canadian Provinces twenty-seven years (if we reckon from 1840), and the Australian States forty-five years (if we reckon from 1855), to reach a Federal Union. Hardly a minute was wasted in South Africa. Under very able guidance, the scheme was canvassed almost from the first, and in two years trusted leaders of both races, representing Natal, Cape Colony, and two newly emancipated Colonies—men, some of whom had been shooting at one another only five years before—were sitting at a table together hammering out the details of a South African Union. Here, indeed, was shown the "practical genius" which the Government of 1905 had piously invoked for their abortive Constitution. In the spirit of forbearance, of sympathy, of wise compromise, which governed the proceedings of this famous Conference, was to be found

the measure of the longing of all parties to extinguish racialism and make South Africa truly a nation. The Imperial Act legalizing the arrangements ultimately arrived at by the agreement of the colonists was passed in 1909. The political system constructed cannot be called Federal. The framers rejected the Australian model, and went much beyond the Canadian model in centralizing authority and diminishing local autonomy; nor can there be any doubt that the strongest motive behind that policy was that of securing the harmony of the two white races.

All this was the result of trusting the Dutch in 1906. "We cannot expect you to trust us, and we shall not trust you," said the despatch of 1905. We know what the consequences of that policy would have been. It is not a question of imagination or hypothesis. It is a question of the operation of certain unchanging laws in the conduct of all white men. Good or bad, our government would have been detested. We should have manufactured sedition, lawlessness, and discord. Then the tendency would have been strong to follow the old Irish precedent, and make the evil symptoms we had ourselves educed the pretext for tightening the screw of anti-popular government. It would have been said that we must sustain our prestige to the end and at all costs, a phrase which often cloaks the obstinacy of moral cowardice. Or, too late to escape the contempt of the Boers, we might have abruptly surrendered to clamour. It would have taken a long time to reach union then. Contempt is a bad foundation.

It brings one near despair to see the Union of South Africa used by men who should know better as an argument against Irish Home Rule. The chain of causation is so clear, one would think, as to be incapable of misconstruction. But there seems to be no limit in certain minds to the prejudice against the principle of Home Rule. If it is seen to work well, the phenomenon is hurriedly swept into oblivion, and its results attributed with feverish ingenuity to any cause but the true one. The very speed with which the antidote pervades the body politic and expels the old poison helps these untiring propagators of error to suppress the history of recuperation, and to ascribe the cure of the patient to a treatment which, if applied long enough, would have killed him.

The Conservative party appear to have now reached this amazing conclusion: that they and Lord Milner were the authors of the South African Union, and that that Union is a weapon sent them by Providence for combating the Irish claims. This is what Ireland has to pay for being the sport of British parties. Individual statesmen may point at past mistakes; but a party, as a party, can never admit error: it is against the rules. To make things easier, there is that question-begging phrase, the "Union." If South Africa, like Australia, had been federalized, this windfall would have been lost, because the word "Federal" might have suggested some form of Federal Home Rule for Ireland. Labels mean an enormous amount in politics.

There is not the slightest doubt that Mr. Walter Long, and even Lord Selborne, who, as High Commissioner, actually witnessed the whole evolution from responsible government in the two conquered States to the Union of South Africa, are perfectly sincere in their opposition to Irish Home Rule. But, I would respectfully suggest, it is their duty to use their knowledge and convictions in the right and fair way. Let them say, if they will, ignoring the intermediate and indispensable phase of Home Rule in South Africa: "Here are two Unions; never mind how they arose. Both are good: all Unions are good. The modern tendency to unify is sound; do not let us react to devolution." Let them, in other words, confine their argument to the domain of political science. What, I submit, they should refrain from, is the imputation of sordid motives to Nationalist leaders, the prognostications of religious and racial tyranny in Ireland, and all those inflammatory arguments against the principle of Home Rule which have been used all the world over, from time immemorial, for the maintenance of Unions based on legal, not on moral, ties, which were used against responsible government for the Transvaal, and which, I venture to affirm, degrade our public life.

I am assuming for the moment that most Conservatives will elect to use the South African parallel in the way that Mr. Long and Lord Selborne have used it, that is, while tacitly approving in retrospect of the Home Rule of 1906, to argue from Union to Union. But it is of no use to blink the

fact that there are pessimists who will put forward an antithetical case, boldly declaring that we were wrong ever to trust the Boers, that racialism is as bad as ever, that General Botha's loyalty is cant, the Cullinan diamond an insult, and that South Africa will go from bad to worse under a Dutch tyranny. Party propaganda is quite elastic enough to permit the two opposite views to be used to convince the same electorate at the same election. Pessimists are always active in these affairs, and they can always produce something in the nature of a plausible case, because it stands to reason that the evils of generations cannot be swept away in a moment, either in South Africa or Ireland. Miracles do not happen, and the pessimists, who are the curse of Ireland to-day, will be able to demonstrate with ease that the free Ireland of to-morrow will not enter instantaneously upon a millennium. It is useless to attempt to convert these extremists. For a century back, Hansard and the columns of daily papers have been full of their unfulfilled jeremiads about Canada, about Australia, and about the very smallest and most tardy attempts to give a little responsibility to the majority of citizens in Ireland. The vocabulary of impending ruin has been exhausted long ago ; there is nothing new to be said. But those who care to study in a cool temper the course of recent South African politics in the columns of the *Times*, or, better still, in those of that excellent magazine for the discussion of Imperial affairs, the *Round Table*, will conclude that extraordinary progress has been made towards racial reunion, and that in this respect no serious peril threatens South Africa. The settlement, by friendly compromise at the end of the last session, of the very thorny question of language in the education of children, is a good example of what good-will can accomplish under free institutions. By a laboured construction of fragments of speeches culled from the utterances of exceptionally vehement partisans, it would be still possible to make up a theory of the "disloyalty" of the South African Dutch. It would have been equally possible for a painstaking British student of the *Sydney Bulletin* within recent memory to start a panic over the imminent "loss" of Australia. Some people think that Canada is as good as "lost" now. Yet the Empire has never been so strong or so united as to-day.

CHAPTER VIII

THE ANALOGY

Let the reader endeavour to see the closely related stories of Ireland and of these more distant communities as a whole, undistracted by the varying degrees of their proximity to the Mother Country, making his study one of men and laws, and remembering that Ireland was the first and nearest of the British Colonies. Does not she become a convex mirror, in which, swollen to unnatural proportions, the mistakes of two centuries are reflected? Principles of government universal in their nature, transcending geography, and painfully evolved in more distant parts of the Empire, we have thrown to the winds in Ireland. Economic evils, resembling, in however distant a degree, those of Ireland, have irritated and retarded every community in which they have been allowed to take root. A sound agrarian system has been the primary need of every country. To take the closest parallel, if absentee proprietorship and insecurity of tenure kept little Prince Edward Island, peacefully and legally settled, backward and disturbed for a century, it is not surprising that Ireland, submitted to confiscation, the Penal Code, and commercial ruin, did not flourish under a land system beside which that of Prince Edward Island was a paradise. Tardy redress of the worst Irish abuses is no defence of the system which created them and sustained them with such ruinous results. No white community of pride and spirit would willingly tolerate the grotesque form of Crown Colony administration, founded on force, and now tempered by a kind of paternal State Socialism, under which Ireland lives to-day. Unionism for Ireland is anti-Imperialist. Its upholders strenuously opposed colonial autonomy, and but yesterday were passionately opposing South African autonomy. To-day colonial autonomy is

an axiom. But Ireland is a measure of the depth of these convictions. There would be no Empire to idealize if their Irish principles had been applied just a little longer to any of the oversea States which constitute the self-governing Colonies of to-day. As it is, these principles have wrought great and perhaps lasting mischief which, in the righteous glow of self-congratulation upon what we are accustomed to call our constructive political genius, we are too apt to overlook. It was bad for America to pass through that phase of agitation and discord which preceded the revolutionary war. It was demoralizing for the Canadas to be driven into rebellion by the vices of ascendancy government. Mr. Gladstone, speaking of Australian autonomy, was right in satirizing the "miserable jargon" about fitting men for political privileges, and in demonstrating the harm done by withholding those privileges. And the Irish race all over the world, fine race as it is, would be finer still if Ireland had been free.

The political habits formed in dealing with Ireland have disastrously influenced Imperial policy in the past. Cannot we, by a supreme national effort, reverse the mental process, and, if we have always failed in the past to learn from Irish lessons how not to treat the Colonies, at any rate learn, even at the eleventh hour, from our colonial lessons how to treat Ireland? Must we for ever sound the old alarms about "disloyalty" and "dismemberment" and "abandonment of the loyal minority to the tender mercies of their foes"; phrases as old as the Stamp Act of 1765? Must we carry the "gentle art of making enemies," practised to the last point of danger in the Colonies, to the preposterous pitch of estranging men at our very doors, while pluming ourselves on the friendship of peoples 12,000 miles away? These are anxious times. We have a mighty rival in Europe, and we need the co-operation of all our hands and brains. On a basis of mere profit and loss, is it sensible to maintain a system in Ireland which weakens both Ireland and the whole United Kingdom, clogs the delicate machinery of Parliamentary government, and, worked out in hard figures of pounds, shillings, and pence, has ceased even to show a pecuniary advantage?

Have Unionists really no better prescription for the constitutional difficulties caused by the Union than to reduce

the representation of Ireland in Parliament so as to give Ireland still less control than at present over her own affairs? Is that seriously their last word in statesmanship, to exasperate Nationalist Ireland without even providing in any appreciable degree a mechanical remedy for disordered political functions? The idea has only to be stated to be dismissed. It is not even practical politics. Some things are sheer impossibilities; and to leave the Union system as it is, while reducing representation, is one of them.

We revert, then, to a contemplation of the well-tried expedient, "Trust, and you will be trusted." But then we have to meet pessimists of two descriptions, the honest and the merely cynical. The honest pessimist (often, unhappily, an educated Irishman) says: "The Irish in Ireland are an incurably criminal race. They differ from Irishmen elsewhere and from Anglo-Saxons everywhere. Air and soil are unaccountable. The Union policy has been, and remains, a painful but a quite inevitable necessity. It is sound, now and for all time." The cynical pessimist, on the other hand, admits the errors of past policy, but says frankly that it is too late to change. "We have gone too far, raised passions we cannot allay." I shall not try further to confute the honest pessimist. The preceding chapters have been written in vain if they do not shatter the theory of original sin. And to the cynical pessimist, who is a reincarnation of our old friend Fitzgibbon (for that clear-headed statesman frankly imputed original sin to the conquerors of Ireland, as well as to the conquered), I would only say: "Use your common sense." These panics over the vagaries and excesses of an Irish Parliament, always groundless, are beginning to look highly ridiculous. In 1893, when the last Home Rule Bill was being discussed, a Franco-Irish alliance was the fear. Now it is the other way, and the *Spectator* has been writing solemn articles to warn its readers that Mr. Dillon, in a speech on foreign policy, has shown ominous signs of hostility to France. In the election of January, 1910, an ex-Cabinet Minister informed the public that Home Rule meant the presence of a German fleet in Belfast Lough—at whose invitation he did not explain, though he probably did not intend to insult Ulster. This wild talk has not even the merit of a strategical foundation.

It belongs to another age. Ireland has neither a fleet nor the will or money to build one. Our fleet, in which large numbers of Irishmen serve, guarantees the security of New Zealand, and if it cannot maintain the command of home waters, including St. George's Channel, our situation is desperate, whether Ireland is friendly or hostile. We guarantee the independent existence of the kingdom of Belgium, which is as near as Ireland, with military liabilities vastly more serious than any which Ireland could conceivably entail; but we do not claim, as a consequence, to control the Executive of Belgium and remove her Parliament to Westminster, in order to be quite sure that the Belgians are not intriguing against us with Germany. Germany, our alarmists fear, is to invade Ireland, and Ireland is to greet the invaders with open arms. The same prophecy was being made not more than three years ago of the South African Dutch. After asking for a century and a half to manage her own affairs, the Irish are not likely to ask to be ruled by Germans. The German strategists are men of common sense. If they were fortunate enough to gain the command of the sea, they could make no worse mistake than to dissipate their energies on Ireland.

Perhaps it is a waste of time to attempt to destroy these foolish myths. Let those that are sceptical about the effect of Home Rule in producing friendlier feelings between Ireland and Great Britain consider in a reasonable spirit the commonplace question of mutual interests. What is the really practical significance of Ireland's proximity to England? This, that their material interests are indissociably intertwined. If it is "safe," as the phrase goes, to entrust Australia with Home Rule, surely it is safer still to entrust Ireland with it. Has Ireland anything to gain by separation? Clearly nothing. Has she anything to lose? Much. Most of her trade is with Great Britain. British credit is of enormous value to her. The Imperial forces are of less proportionate value to her because her external trade is small; but she willingly supplies a large and important part of their personnel; she shares in their glorious traditions; and if it is a case of protection for her trade, she will get no protection elsewhere.

How idle are these calculations of profit and loss! The truth is that Ireland has taken her full share in winning and populating the Empire. The result is hers as much as Britain's. Mr. Redmond spoke for his countrymen last May* in saying: "We, as Irishmen, are not prepared to surrender our share in the heritage [that is, the British Empire] which our fathers created." That is sound sentiment and sound sense. It is the view taken by the Colonies, where Irishmen are known, respected, and understood, and where the support for Home Rule, based on personal experience of its blessings, has been, and remains, consistent and strong. Indeed, we miss the significance of that support if we do not realize that Irish Home Rule is an indispensable preliminary to the closer union of the various parts of the Empire. Let us add the wider generalization that it is an indispensable preliminary to the closer union of all the English-speaking races. It may be fairly computed that a fifth of the present white population of the United States is of Irish blood.† American opinion, as a whole, so far as it is directed towards Ireland and away from a host of absorbing domestic problems, is favourable to Home Rule. Irish-American opinion has never swerved, although it has become more sober, as the material condition of Ireland has improved, and the interests of Irish-Americans themselves have become more closely identified with those of their adopted country. Fenianism is altogether extinct. The extreme claim for the total separation of Ireland from Great Britain is now no more than a sentimental survival among a handful of the older men, of the fierce hatreds provoked by the miseries and

* At Woodford, May 27, 1911.

† This is a very general statement. No figures exist for an accurate computation. The Census of 1910 gives the total population of the United States, white and coloured, as 91,272,266, of whom nearly 9,000,000 are negroes. The figures about countries of origin are not yet available. The statistical abstract of the United States (1908) gives the total number of immigrants from Ireland from 1821 to 1908 as 4,168,747 (the large majority of whom must have been of marriageable age), but does not estimate the subsequent increase by marriage, and takes no account of the immigration prior to 1821, which was very large, especially in the period preceding the Revolutionary War of 1775-1782. At the Census of 1900 Irishmen actually *born in Ireland* and then resident in the United States are stated to have been 1,618,567, as compared with 93,682 from Wales, 233,977 from Scotland, and 842,078 from England.

horrors of an era which has passed away.* Even Mr. Patrick Ford and the *Irish World* have moderated their tone, and where that tone is still inflammatory it is not representative of Irish-American opinion. I have studied with a good deal of care the columns of that journal for some months back, smiling over the imaginary terrors of the nervous people on this side of the Atlantic who are taught by their party Press to believe that Mr. Patrick Ford is going to dynamite them in their beds. Any liberal-minded student of history and human nature would pronounce the whole propaganda perfectly harmless. But the sane instinct that Ireland should have a local autonomy of her own, an instinct common to the whole brotherhood of nations which have sprung from these shores, lasts undiminished and takes shape, quite rightly and naturally, as it takes shape in the Colonies, in financial support of the Nationalist party in Ireland. Anti-British sentiment in the United States, once a grave international danger, is that no longer; but it does still represent an obstacle to the complete realization of an ideal which all patriotic men should aim at: the formation of indestructible bonds of friendship between Great Britain and the United States. Nor must it be forgotten that the calm and reasonable character of Irish-American opinion is due in a large degree to confidence in the ultimate success of the constitutional movement here for Home Rule. Every successive defeat of that policy tends to embitter feeling in America.

Oh, for an hour of intelligent politics! The old choice is before us—to make the best or the worst of the state of opinion in America; to disinter from ancient files of the *Irish World* sentences calculated to inflame an ignorant British audience; or to say in sensible and manly terms: "The situation is more favourable than it has been for a century past for the settlement of just Irish claims."

* I am especially indebted for information to Mr. Hugh Sutherland, of the *North American* (Philadelphia), to Mr. Rodman Wanamaker, of the same city, to Mr. Frank Sanborn, of Concord, and to Mr. John O'Callaghan, of Boston.

CHAPTER IX

IRELAND TO-DAY

WHY does present-day Ireland need Home Rule? I put the question in that way because I am not going to question the fact that she wants Home Rule. She has always said she wanted it: she says so still, and that is enough. There is a powerful minority in Ireland against Home Rule. There always have been minorities more or less powerful against Home Rule in all ages and places. That does not alter the national character of the claim. If once we go behind the voice of a people, constitutionally expressed, we court endless risks. National leaders have always been called "agitators," which, of course, they are, and non-representative agitators, which they are not. To deny the genuineness of a claim which is feared is an invariable feature of oppositions to measures of Home Rule. The denial is generally irreconcilable with the case made for the dangers of Home Rule, and that contradiction in its most glaring shape characterizes the present opposition to the Irish claims. But Unionists should elect to stand on one ground or the other, and for my part I shall assume that the large majority of Irishmen, as shown by successive electoral votes, want Home Rule. Precisely what form of Home Rule they want is another and by no means so clear a matter, on which I shall presently have a word to say. But they want, in the general sense, to manage their own local affairs. Her best friends would despair of Ireland if that was not her desire.

What, in the Colonies, Ireland, and everywhere else, is the deep spiritual impulse behind the desire for Home Rule? A craving for self-expression, self-reliance. Home Rule is synonymous with the growth of independent character. That is why Ireland instinctively and passionately wants it, that

is why she needs it, and that is why Great Britain, for her own sake, and Ireland's, should give it. If that is not the reason, it is idle to talk about Home Rule ; but it is the reason.

Character is the very foundation of national prosperity and happiness, and we are blind to the facts of history if we cannot discern the profound effect of political institutions upon human character. Self-government in the community corresponds to free will in the individual. I am far from saying that self-government is everything. But I do say that it is the master-key. It is fundamental. Give responsibility and you will create responsibility. Through political responsibility only can a society brace itself to organized effort, find out its own opinions on its own needs, test its own capabilities, and elicit the will, the brains, and the hands to solve its own problems.

These are such commonplaces in every other part of the Empire, which has an individual life of its own, that men smile if you suggest the contrary. But ordinary reasoning is rarely applied to Ireland. There "good government" has been held to be "a substitute for self-government" and a régime of benevolent paternalism to be a full and sufficient compensation for cruel coercion and crueller neglect. In this paternal régime it is impossible to include those great measures of land reform passed in 1870, 1881, and 1887, which revolutionized the agrarian system, and converted the cottier tenant into a judicial tenant.* Although these measures, which fall into an altogether different category from the subsequent policy of State-aided Land Purchase,† were inspired by an earnest desire to mitigate frightful social evils, they cannot be regarded as voluntary. They were extorted, shocking as the reflection is, by crime and violence, by the spectacle of a whole social order visibly collapsing, and by the desperate efforts of a handful of Irishmen, determined at any cost, by whatever means, to save the bodies and souls of their countrymen. The methods of these men were destructive. They were constructive only in this, the highest sense of all, that while battling against concrete economic evils, they sought to obtain for Ireland the right to control her own affairs and cure her own economic evils. It is often said that Parnell gave a tremendous impetus to the Home Rule movement

* See pp. 13-17 and 66-71. † Dealt with fully in Chapter XIV.

by harnessing it to the land question. True; but what a strange way of expressing a truth! Anywhere outside Ireland men would say that self-government was the best road to the reform of a bad land system.

With the tranquillity which was slowly restored by the alterations in agrarian tenure and the immense economic relief derived from the lowering of rents, a change came over the spirit of British statesmanship. With the exception of the short Liberal Government of 1892-1895, which failed for the second time to carry Home Rule, Conservatives were responsible for Ireland from 1886 to 1905. They felt that opposition to Home Rule could be justified only by a strenuous policy of amelioration in Ireland, and the efforts of three Chief Secretaries, Mr. Arthur Balfour, Mr. Gerald Balfour, and Mr. George Wyndham—efforts often made in the teeth of bitter opposition from Irish Unionists—to carry out this policy, were sincere and earnest. The Act of 1891, with its grants for light railways, its additional facilities for Land Purchase, and its establishment of the Congested Districts Board to deal with the terrible poverty of certain districts in the west, may be said to mark the beginning of the new era. The Land Act of 1896 was another step, and the establishment of a complete system of Irish Local Government in 1898 another. In the following year came the Act setting up the Department of Agriculture, and in 1903 Mr. Wyndham's great Land Purchase Act. Then came the strange "devolutionist" episode, arising from the appointment of Sir Antony (now Lord) MacDonnell to the post of Under-Secretary at Dublin Castle, the Government who selected him being fully aware that he was in favour of some change in the government of Ireland. He entered into relations with a group of prominent Irishmen, headed by Lord Dunraven, who were thinking out a scheme for a mild measure of devolution. When the fact became known, there was an explosion of anger among Irish Unionists. Mr. Wyndham, who had been a popular Chief Secretary, resigned office, and was succeeded by Mr. Walter Long; perhaps the most dramatic and significant example in modern times of the policy of governing Ireland in deliberate and direct defiance of the wishes and sentiments of the vast majority of Irishmen.

The Liberal Government of 1906, coming into office under a pledge to refrain from a full Home Rule measure, confined itself to the introduction of the Irish Council Bill of 1907, which, rightly, in my opinion, was repudiated by the Irish people, and accordingly dropped. But the Government was in general sympathy with Nationalist Ireland, so that a number of useful measures were added to the statute books; for example, the Labourers (Ireland) Act of 1906, empowering Rural Councils, with the aid of State credit, to acquire land for labourers' plots and cottages; the Town Tenants Act, extending the principle of compensation for improvements at the termination of a lease to the urban tenant; the very important Irish Universities Act of 1908, which gave to Roman Catholics facilities for higher education which they had lacked for centuries, and, lastly, Mr. Birrell's Land Act of 1909, which was designed partly to meet the imminent collapse of Land Purchase, owing to the failure of the financial arrangements made under the Wyndham Act of 1903, and partly to extend the powers of the Congested Districts Board.

To these measures must be added another which was not confined to Ireland, but which has exercised a most potent influence, and by no means a wholly beneficial influence, on Irish life and Irish finance, the Old Age Pensions Act of 1908, under which the enormous sum of two and three-quarter millions is now allocated to Ireland.*

The best that can be said of the legislation since 1881 is that it has laid the foundations of a new social order. Agrarian crime has disappeared and material prosperity has greatly increased. Government in the interests of a small favoured class has almost vanished. It survives to this extent, that civil administration and patronage, which are still, be it remembered, removed from popular control, remain, in fact, in Protestant and Unionist hands to an extent altogether disproportionate to the distribution of creeds, classes, and opinions. And, of course, in the major matter of Home Rule, the power of the Unionist minority, as represented in the Commons by seventeen out of the thirty-three Ulster representatives, and in

* In 1910-11, £2,408,000 (Treasury Return No. 220, 1911); plus £225,000 estimated increase owing to removal of Poor Law disqualification (Answer to Question in House of Commons, February 15, 1911).

the House of Lords by an overwhelming preponderance of Unionist peers, is still enormous. But within Ireland itself, central administration apart, the exceptional privileges and exceptional political power of Protestants and landlords, which lasted almost intact until forty years ago, is now non-existent. The Disestablishment Act of 1869, while immensely enhancing the moral power and religious zeal of the Church of Ireland, and even strengthening its financial position, took away its political monopoly, and through the final abolition of tithes, its baneful and irritating interference with economic life. The successive measures of land legislation, culminating in the transfer of half the land of Ireland from landlord to peasant proprietorship, and the Local Government Act of 1898, surrendering at a stroke the whole local administration of the country into popular control, destroyed the exceptional political privileges of the landlord class.

Ascendancy, then, in the old sense, is a thing of the past. What has taken its place? What is the ruling power within Ireland? Is it a public opinion derived from the vital contact of ideas and interests, and taking shape in a healthy and normal distribution of parties? Is thought free? Has merit its reward? Is there any unity of national purpose, transcending party divisions? If it were necessary to give a categorical "Yes" or "No" to these questions, the answer would be "No." Sane energizing politics, and the sovereign ascendancy of a sane public opinion, are absolutely unattainable in Ireland or anywhere else without Home Rule. It is all the more to the credit of Irishmen that, in the face of stupendous difficulties, and in a marvellously short space of time since the attainment, barely twenty years ago, of the elementary conditions of social peace, they have gone so far as they have gone towards the creation of a self-reliant, independently thinking, united Ireland. The whole weight of Imperial authority has been thrown into the scale against them. Whatever the mood and policy of British upholders of the Union, whether sympathetic or hostile, wise or foolish, their constant message to both parties in Ireland has been, "Look to us. Trust in us. You are divided. We are umpires," and the reader will no doubt remember that the theory of "umpirage" was used in exactly the same way

in the Colonies, notably in Upper Canada,* to thwart the tendency towards a reconciliation of creeds, races, and classes. Fortunately, there have been Irishmen who have laboured to counteract the effects of this enervating policy, and to reconstruct, by native effort from within, a new Ireland on the ruins of the old. Whether or not they have consciously aimed at Home Rule matters not a particle. Some have, some have not; but the result of these efforts has been the same, to pull Irishmen together and to begin the creation of a genuinely national atmosphere.

It is not part of my scheme to describe in detail the various movements, agricultural, industrial, economic, literary, political, which in the last twenty years have contributed to this national revival. Some have a world-wide fame, all have been excellently described at one time or another by writers of talent and insight.† My purpose is to note their characteristics and progress, and to estimate their political significance. In the first place it must be remembered that some of the most important of the modern legislative measures have been initiated and promoted by Home Rulers and Unionists, Roman Catholics and Protestants, acting in friendly co-operation and throwing aside their political and religious antagonisms. Such was the origin of the great Land Purchase Act of 1903, which Mr. Wyndham drafted on the basis of an agreement reached at a friendly conference of landlords and representatives of tenants. But a far more interesting and hopeful instance of co-operation had taken place seven years earlier. One of the very few really constructive measures of the last twenty years, the Act of 1899 for setting up the Department of Agriculture and Technical Instruction, was the direct outcome of the recommendations of the Recess Committee brought together in 1895 and 1896 by Sir Horace Plunkett; a Committee containing Nationalist and Unionist Members of the House of Commons, Tory and Liberal Unionist peers, Ulster captains of industry, the Grand Master of the Belfast Orangemen, and an eminent Jesuit.‡ In its reunion of men divided

* See p. 101.

† See particularly "Ireland in the New Century," Sir Horace Plunkett; "Contemporary Ireland," E. Paul-Dubois; "The New Ireland," Sydney Brooks.

‡ "Report of the Recess Committee," New Edition (Fisher Unwin).

by bitter feuds, it was just the kind of Conference that assembled in Durban in 1908, six years after a devastating war, to discuss and to create the framework of South African Union. That Conference was the natural outcome of the grant of Home Rule to the defeated Boer States. The Irish Conference, succeeding a land-war far more destructive and demoralizing, was brought together in spite of the absence of Home Rule, and the prejudice it had to overcome,* is a measure of the fantastically abnormal conditions produced by the denial of self-government. There lay Ireland, an island with a rich soil and a clever population, yet terribly backward, far behind England, far behind all the progressive nations of Europe in agriculture and industry, her population declining, her land passing out of cultivation,† her strongest sons and daughters hurrying away to enrich with their wits and sinews distant lands. There, in short, lay a country groaning for intelligent development by the concentrated energies of her own people.

"We have in Ireland," runs the first paragraph of the Report of the Committee, "a poor country practically without manufactures—except for the linen and shipbuilding of the north, and the brewing and distilling of Dublin—dependent upon agriculture, with its soil imperfectly tilled, its area under cultivation decreasing, and a diminishing population without industrial habits or technical skill."

The leeway to make up was enormous. To go no farther back than the institution of the Penal Code and the deliberate destruction of the woollen industry, two centuries of callous repression at the hands of an external authority had maimed and exhausted the country whose condition the Committee had met to consider. These facts the members of the Com-

* Colonel Saunderson, for example, the leader of the Irish Unionists in the Commons, refused publicly to be a member of a committee on which Mr. Redmond sat. Mr. John Redmond himself wrote that he could not take a very sanguine view of the Conference, but that he was "unwilling to take the responsibility of declining to aid in any effort to promote useful legislation in Ireland."

† Area under cultivation in 1875, 5,832,813 acres; in 1894, 4,981,011 acres (in 1899, 4,627,545 acres; in 1900, on a system of classification dividing arable land more accurately from pasture, there were only 3,100,397 acres arable, and in 1905 the figures were 2,999,082 acres) (Official Returns). Population in 1841, 8,175,124; in 1851, 6,552,385; in 1861, 5,798,976; in 1871, 5,412,877; in 1881, 5,174,836; in 1891, 4,704,750; in 1892, 4,688,808; in 1893, 4,607,462; in 1894, 4,589,260; in 1895, 4,559,986 (in 1901, 4,458,775; in 1905, 4,391,543).—Census Returns and *Thoms' Directory*.

mittee frankly recognized in that part of the Report which is entitled with gentle irony "Past Action of the State." Here, then, was a purely Irish problem, intimately concerning every Irishman, poor or rich, Roman Catholic or Protestant, a problem of which Great Britain, though responsible both for its existence and its solution, knew and cared little. The really strange thing is, not that representative Irishmen should have met together to consider and prescribe for the deplorable economic condition of their country, but that they should not also, like the South African Conference, have drafted a Constitution for Ireland, on the sound ground that a system of government which had promoted and sustained the evils they described could never, with the best will in the world, become a good government for Ireland. Yet for a brief space of time these men actually had Home Rule, and by virtue of that privilege they did better work for Ireland in six months than had been done in two centuries.

What is more, they used the Home Rule principle in their recommendations for the establishment of a Department of Agriculture and Technical Instruction. "We think it essential," they reported on p. 101, "that the new Department should be in touch with the public opinion of the classes whom its work concerns, and should rely largely for its success upon their active assistance and co-operation." Its chief, they added, should be a Minister directly responsible to Parliament, and on p. 103 they advocated a Consultative Council, whose functions should be—(1) To keep the Department in direct touch with the public opinion of those classes whom the work of the Ministry concerns; and (2) to distribute some of the responsibility for administration amongst those classes." Now these, in Ireland, were revolutionary proposals. The idea of any part of the Government "being in touch with public opinion" was wholly new. The idea of "distributing responsibility for administration" amongst the subjects of administration was startlingly novel. Ireland, both before and after the Union, had always been governed on a diametrically opposite principle. Since the Union, when Irish departmental Ministers, never responsible to the people, disappeared, not one of the host of nominated Irish Boards was legally amenable to Irish public opinion. Not one had

a separate Minister responsible even to the Parliament at Westminster, which was not an Irish Parliament. *A fortiori*, not one relied on the co-operation and advice of the classes for whose benefit it was supposed to exist.

Proposed, nevertheless, by a group of representative Irishmen, the scheme for a democratically constituted Department of Agriculture passed smoothly into law as soon as the machinery for ascertaining public opinion on the matters at issue had been brought into existence. Mr. Gerald Balfour, the Chief Secretary, was engaged at the time upon his measure for the extension of Local Government to Ireland. This measure became law in 1898, and the Department Act in 1899. Under that Act, the duty was laid upon each of the new County Councils of electing two members to serve upon a Consultative Council of Agriculture, to which a minority of nominated members was added, and this Council in its turn elects two-thirds of the members of an Agricultural Board, and supplies four representatives to a Board of Technical Instruction, which, like the Council and the Agricultural Board, has a predominantly popular character.*

At the summit stands the Minister, or Vice-President, as he is called (for in accordance with ancient custom, the Chief Secretary is nominally in supreme control of this as of all other Irish Departments), and a large and efficient staff of permanent officials. He and his staff have a large centralized authority, but this authority is subject to a constitutional check in the shape of a veto wielded by the Boards over the expenditure of the Endowment Fund. What is more important, policy tends to be shaped in accordance with popular views by the existence of the Council and the Boards.

Here, then, is the germ of responsible government. At first sight a critic might exclaim : " Why, here is democracy pushed to a point unknown even in Great Britain, where Government Departments are wholly independent of Local Councils."

* *Council of Agriculture:* 68 members elected by County Councils; 34 appointed by the Department from the various provinces. Total 102.
Board of Agriculture: 8 members elected by Council of Agriculture; 4 appointed by the Department. Total 12.
Board of Technical Instruction: 10 members appointed by County Boroughs; 4 elected by Council of Agriculture; 6 appointed by the various Government Departments; 1 by a joint Committee of Dublin District Councils. Total 21.

That is in a limited sense true, and it is quite arguable that British Departments would be the better for an infusion of local control. But we must not be misled by a false analogy. Great Britain reaches the Irish ideal by other means. Her departmental Ministers are directly responsible to a predominantly British House of Commons where a hostile vote can at any moment eject them from office.* There is no Irish Parliament, nor any kind of predominantly Irish body which is vested with the same power. The Vice-President of the Irish Department of Agriculture, an institution concerned exclusively with Irish affairs, whether he sits in the House of Commons or not (and for two years Mr. T. W. Russell had not a seat at Westminster), could not be ejected from office even by a unanimous vote of Irish Members of the House, with the moral backing of a unanimous Irish people.† That is one of the anomalous results of the Union, and it was a recognition, though rather a confused one, of this anomaly, that inspired the ingenious compromise invented by the Recess Committee for introducing an element of popular control. But what a light the compromise throws on the anomaly which evoked it! Is it common sense to make these elaborate arrangements for promoting an Irish Department on an Irish popular basis while recoiling in terror from the prospect of crowning them with a Minister responsible to an Irish Parliament? The consequence is that even in this solitary example of an Irish

* I am not forgetting Scotland. Her few local departments are theoretically, but not practically, at the mercy of English votes and influence. Scotch opinion, broadly speaking, governs Scotch affairs. Precisely to the extent to which it does not so govern them, is a demand for Home Rule likely to grow.

† Even the Recess Committee (and we cannot wonder) but dimly grasped the constitutional position when they laid stress on the necessity for an Agricultural Minister "directly responsible to Parliament." Logically, they should have first recommended the establishment of an Irish Parliament to which the Minister should be responsible. To make him responsible to the House of Commons was absurd; and a Departmental Committee of 1907 has, in fact, recommended that the Vice-President should not have a seat in Parliament, but should remain in his proper place, Ireland. Meanwhile, the original mistake has caused friction and controversy. Soon after the Liberal Ministry took office in 1906, Sir Horace Plunkett, the first Vice-President, as a Unionist, was replaced by Mr. T. W. Russell, a Home Ruler. On the assumption that such an Office was Parliamentary, its holder standing or falling with the British Ministry of the day, the step was quite justifiable, and even necessary. On the opposite assumption, confirmed by the Departmental Committee, the step was unjustifiable, that is, on the theory of the Union. An Irish Parliament alone should have the power of displacing Irish Ministers.

Department under semi-popular control we see the subtle taint of Crown Colony Government. Popular opinion, acting indirectly, first through the Council and then through the Boards, can legally paralyze the Department by declining to appropriate money in the way it prescribes, while possessing no legal power to enforce a different policy or change the personnel of administration. This is only an object-lesson. I hasten to add that such a paralysis has never taken place, though some acrimonious controversy, natural enough under the anomalous state of things, has arisen over the office of Vice-President. There is now only one means by which Irish opinion can, if it be so disposed, displace the holder of the office, and that is a thoroughly unreliable and unhealthy means, namely, through pressure brought to bear by one or other of the Irish Parliamentary parties upon a newly elected British Ministry.* But why in the world should the British party pendulum determine an important Irish matter like this? Why, *a fortiori*, should it determine the appointment to the office of Chief Secretary, the irresponsible Prime Minister, or, rather the autocrat of Ireland? It is the *reductio ad absurdum* of the Union.

The Department commands a large measure of confidence. It would command far greater confidence if it were responsible to an Irish Parliament; but Irishmen are sensible enough to perceive that as long as the Union lasts, everyone is interested in making the existing system work smoothly and well. The general policy as laid down in the first instance, by the first Vice-President, Sir Horace Plunkett, has been sound and wise;† to proceed slowly, while building up a staff of trained instructors, inspectors, organizers; to devote money and labour mainly to education, both industrial and agricultural, and to evoke self-reliance and initiative in the people by, so far as possible, spending money locally only where a local contribution is raised and a local scheme prepared. The last aim met with a fine response. Every County Council in Ireland raises a rate, and has a scheme for agricultural and technical instruction. I can only enumerate some of the multifarious functions which the Department evolved for

* See footnote, p. 159.

† "Organization and Policy of the Department," Official Pamphlet.

itself or took over from various other unrelated Boards and concentrated under single control. It gives instruction in agriculture and rural domestic economy (horticulture, butter-making, bee-keeping, poultry-keeping, etc.) through schools, colleges, or agricultural stations under its own direction, through private schools for both sexes, and through an extensive system of itinerant courses conducted (in 1909) by 128 trained instructors. It gives premiums for the breeding of horses, cattle, asses, poultry, swine. It conducts original research, it experiments in crops, and, among other things, is slowly resuscitating the depressed industry of flax-growing, and starting a wholly new industry in the southern counties, that of early potatoes. It sprays potatoes, prescribes for the diseases of trees, crops, and stock, advises on manures and feeding-stuffs, teaches forestry, and gives scholarships at various colleges for proficiency in agricultural science. On the side of Technical Instruction it teaches and encourages all manner of small industries, such as lace-making. It superintends all technical instruction in secondary schools, and organizes and subsidizes similar instruction in a multitude of different subjects under schemes prepared by local authorities, while at the same time carrying on an important and extensive system of training teachers. It also superintends sea-fisheries and improves harbours.

The material results have been great; the moral results perhaps even greater. Just as we should expect, wherever education goes, and wherever men work together for economic improvement, unnatural antagonisms of race and religion tend to disappear. This is not the result of any direct influence wielded by the Department, which never finds it necessary to lecture people on the duty of mutual tolerance; it is the result of common sense and a small experience in Home Rule. High officials of the Department have informed me that their work, for all intents and purposes, is unhampered by local religious prejudices. A spirit of keen and wholesome rivalry permeates the people. County and Borough Committees in districts almost wholly Roman Catholic, with large powers of patronage, almost invariably appoint the best men, regardless of creed and local influence. Anyone who wishes to gain a glimpse of the real Belfast of the present and the future, as

distinguished from the ugly, bigoted caricature of a great city which some even of its own citizens perversely insist on displaying to their English friends, a Belfast as tolerant and generous as it is energetic and progressive, should visit the magnificent Municipal Technical Institute, where 6,000 boys and girls, Roman Catholic and Protestant, mix together on equal terms, and derive the same benefit from an extraordinary variety of educational courses in a building furnished with lecture-rooms, laboratories, experimental plant, and gymnasia, of a perfection hardly to be surpassed in any city of the United Kingdom.

Here is something grand and fruitful accomplished in eleven years, and it is the outcome, be it remembered, of original, constructive thought devoted by Irishmen to the needs of their own country.

Let us also remember that it represents the application of State-aid to economic development. But with the utmost caution, and the utmost efforts to elicit self-help, one may go too far in the direction of State-aid, and even in this sphere it is by no means certain that Ireland is free from danger. Let us pass to another movement whose essence is self-help : I mean the movement for Agricultural Co - operation. Here again Sir Horace Plunkett was the originator. Indeed, with him and his able associates and advisers, of whom Lord Monteagle and Mr. R. A. Anderson, the Secretary of the I.A.O.S., were the first, the twin aims of self-help and State-aid were combined as they should be, in one big, harmonious policy. Self-help must, indeed, they held, be antecedent to, and preparatory for, State-aid. The position confronting them was that half a million unorganized tenant farmers, for the most part cultivating excessively small holdings, and just beginning to emerge after generations of agrarian war from an economic serfdom, were face to face with the competition of highly organized European countries, and of vast and rapidly developing territories of North and South America. It was as far back as 1889 that the first propaganda was begun, and in 1894, a year before the Recess Committee met, the Irish Agricultural Organization Society was formed. By unwearied pains and patience, seemingly hopeless obstacles had been overcome, apathy, ignorance, and often contemptuous opposition from

men of both political parties. For, with that ruinous pessimism always endemic in countries not politically free, and exactly paralleled in the Canada described by the Durham Report of 1839, extremists were inclined to suspect any movement which drew recruits from both political camps. Nevertheless, the island is now covered with a network of 886 co-operative societies, creameries, agricultural societies (for selling implements, foodstuffs, etc.), credit banks, poultry societies, and other miscellaneous organizations. The total membership is nearly 100,000, the total turnover nearly two and a half millions.* Nearly half the butter exported from Ireland is made in the 392 co-operative creameries, and at the other end of the scale extraordinarily valuable work is done by the 237 agricultural credit banks, which supply small loans, averaging only £4 apiece, for strictly productive purposes on a system of mutual credit.

Moral and material regeneration go together. The aim is to build up a new rural civilization, to put life, heart, and hope into the monotony of country life and unite all classes in the strong bonds of sympathy and interest: a splendid ideal, applicable not to Ireland alone, but to all countries, and Ireland may truly be said to be pointing the way to many another country, Great Britain included.

The Co-operative movement attracts the most intelligent

* Statistics of the Irish Agricultural Organization Movement to December 31, 1909, with Number of Societies in Existence on December 31, 1910 (supplied by the I.A.O.S.):

Description.	Number of Societies.		Membership.	Paid-up Shares.	Loan Capital.	Turnover.
	1910.	1909.				
Creameries	392	380	44,218	138,854	111,365	1,841,400
Agricultural	169	155	16,050	6,258	40,326	112,222
Credit	287	284	18,422	—	56,469	57,641
Poultry	18	18	6,152	2,292	4,026	64,842
Industries	21	21	1,875	1,267	1,450	7,666
Miscellaneous ...	37	15	4,683	15,015	2,864	48,987
Flax	9	9	589	482	5,796	2,286
Federations	8	8	227	6,753	6,360	259,925
	886	885	91,661	170,416	228,656	2,394,469

and progressive elements of the rural population. Strictly non-political itself, it unites creeds and parties. It is as strong in predominantly Roman Catholic districts as in predominantly Protestant districts, strongest of all in Catholic Wexford. Probably two-thirds or more of the co-operators are Home Rulers, but that only accidentally reflects the distribution of Irish parties. On the local committees political animus is unknown. The governing body contains members, lay and clerical, of all shades of opinion. Step into Plunkett House, that hospitable headquarters of the Organization Society, and if you have been nurtured in legends about inextinguishable class and creed antipathies, which are supposed to render Home Rule impossible and the eternal "umpirage" of Great Britain inevitable, you will soon learn to marvel that anyone can be found to propagate them. Here, just because men are working together in a practical, self-contained, home-ruled organization for the good of the whole country, you will find liberality, open-mindedness, brotherhood, and keen, intelligent patriotism from Ulsterman and Southerners alike. The atmosphere is not political. But you will come away with a sense of the absurdity, of the insolence, of saying that a country which can produce and conduct fine movements like this is *unfit* for self-government. I should add a word about a new organization which only came into being this year, and which also has its home at Plunkett House, the United Irishwomen, whose aim, in their own words, is to "unite Irishwomen for the social and economic advantage of Ireland." "They intend to organize the women of all classes in every rural district in Ireland for social service. These bodies will discuss, and, if need be, take action upon any and every matter which concerns the welfare of society in their several localities. So far as women's knowledge and influence will avail, they will strive for a higher standard of material comfort and physical well-being in the country home, a more advanced agricultural economy, and a social existence a little more in harmony with the intellect and temperament of our people." Anyone who wants to understand something of the spirit of the new self-reliant Ireland which is springing up to-day should read the thrilling little pamphlet (I cannot describe it otherwise) from which I quote these words, and which introduced the United

Irish-women to the world, with its preface by Father T. A. Finlay, and its essays by Mrs. Ellice Pilkington, Sir Horace Plunkett, and Mr. George W. Russell, better known as "Æ," poet, painter, and Editor of the Co-operative weekly, the *Irish Homestead*. Nor can I leave this part of my subject without referring to that amazing little journal. No other newspaper in the world that I know of bears upon it so deep an impress of genius. There are no "politics," in the Irish sense, in it. It would be impossible to infer from its pages how the Editor voted. What fascinates the reader is the shrewd and witty analysis of Irish problems, the high range of vision which exposes the shortcomings and reveals the illimitable possibilities of a regenerated Ireland and the ceaseless and implacable war waged by the Editor upon all pettiness, melancholy, and pessimism.

What the Agricultural Organization Society is doing for agriculture the Industrial Development Associations, formed only in quite recent years, are doing, in a different way, for the encouragement of Irish industries. The Associations of Belfast, Cork, and other cities work in harmony, and meet in an annual All-Ireland Industrial Conference. Their effort is to secure the concentration of Irish brains and capital on Irish industrial questions, to promote the sale of Irish goods, both in Ireland, Great Britain, and foreign countries, and to protect these goods against piracy and illicit competition.* Here again co-operation for Irish welfare brings together the creeds and races, and tends to extinguish old bigotries and antipathies. Here again the truth is recognized that Ireland is a distinct economic entity whose conditions and needs demand special study from her citizens. In a country of which that basal truth is recognized it would seem inexplicable that Protestants and Catholics who meet in committee-rooms and on platforms to promote, outside Parliament, the common interests of Ireland, should not unite as one man to demand an Irish Legislature in which to focus those interests and make them the subjects of direct legislative enactment, free both

* An Irish Trademark has been secured, and has proved of great value' "Irish Weeks," for the furtherance of the sale of Irish products, are held. The organ of the Association is the *Irish Industrial Journal*, published weekly in Dublin.

from the paternal and the coercive interference of a country differently situated, and absorbed in its own affairs.

I pass from the agricultural and industrial movements to another powerful factor in the reconstruction of Ireland, namely, the Gaelic League, founded in 1893, whose success under the Presidency of Dr. Douglas Hyde in reviving the old national language, culture, and amusements, is attracting the attention of the world. Fortunately the League encountered some ridicule at the outset and prospered proportionately. Some of its work is not above criticism, but few persons—and none who have the least knowledge of such intellectual revivals elsewhere—now care to laugh at it. The League is non-political and non-sectarian. Strange, is it not, that such a movement should have to emphasize the fact? Strange paradox that in a country which is being re-born into a consciousness of its own individuality, which is regaining its own pride and self-respect, recovering its lost literature and culture, and vibrating to that "iron string, Trust thyself," the conflict for self-government, that elementary symbol of self-trust, should still retain enough intestinal bitterness to compel men to label national movements as non-political and non-sectarian! It would be idle, of course, to pretend that this national movement, like all others in Ireland, does not strengthen, especially among the younger generation, which grows increasingly Nationalist, the sentiment for Home Rule. If it did not, we should indeed be in the presence of something miraculously abnormal.

Meanwhile the Celtic revival does visible good. The language is no longer a fad; it is an envied accomplishment, a mark of distinction and education. Wherever it goes, North and South, it obliterates race and creed distinctions, and all the terrible memories associated with them. There are Ulstermen of Saxon or Scottish stock in whom the fascination of Irish art and literature has extirpated every trace of Orangeism and all implied in it. The language revivifies traditions, as beautiful as they are glorious, of an Ireland full of high passions and stormy domestic feuds, but united in sentiment, breeding warriors, poets, lawgivers, saints, and fertilizing Europe with her missionary genius. However far those times are, however grim and pitiful the havoc wrought by the race war, it is

nevertheless a fact for thinkers and statesmen to ponder over, not a phantasy to sneer at, that Celtic Ireland lives. Anglicization has failed, not because Celts cannot appreciate the noblest manifestations of English genius in art, letters, science, war, colonization, but because to repress their own culture and nationality is at the same time to repress their power of appreciation and assimilation. Until comparatively recent times, it was only the worst of English literature and music, the cheapest newspaper twaddle, the inanest music-hall songs, which penetrated beyond a limited circle of culture into the life of the country. The revolt against this sterilizing and belittling side of anglicization is strong and healthy. It affects all classes. Farmers, labourers, small tradesmen, who had never conceived the idea of learning for learning's sake, and who had grown up, thanks to the national system of education, in all but complete ignorance of their own country's history and literature, spend time on reading and study and in the practice of the old indigenous dances and music, which was formerly wasted in idleness or dissipation. Temperance and social harmony are irresistibly forwarded. Nor is it a question of a few able men imposing their will on the many, or of an artificial, State-aided process. Though the language has obtained a footing in more than a third of the State schools and in the National University,* the motive force behind it comes from the people themselves. In the country district, with which I am best acquainted, boys and girls from very poor families are clubbing together to pay instructors in the Irish language and dances, and the same thing is going on all over Ireland.

The brilliant modern school of poets and playwrights who, steeped in the old Celtic thought and culture, have found for it such an exquisite vehicle in the English tongue, speak for themselves and are winning their own way to renown. The only criticism I venture to make is that some of them are too much inclined to look backward instead of forward, to idealize the far past rather than to illuminate the future, and to de-

* On December 31, 1909, Irish was taught as an "extra subject" in 3,006 primary schools out of 8,401, and in 161 schools in Irish-speaking districts in the West a bi-lingual programme of instruction was in force (Report of Committee of National Education, 1910). Forty-six thousand pupils passed the test of the inspectors. Irish in 1910 was made a compulsory subject for matriculation at the National University.

lineate the deformities of national character produced by ages of repression, rather than to aid in conjuring into being a virile, normal nation.

The name of the last movement to be referred to sums up all the others, Sinn Fein. Unlike the others, it had a purely political origin, and for that reason, probably, never made the same progress. Yet the explanation is simple. In pursuance of the general purpose of inspiring Irishmen to rely on themselves for their own salvation, economic and spiritual, Sinn Feiners, like John Mitchel and others in the past, and like the Hungarian patriots, attacked, with much point and satire, the whole policy of constitutional and Parliamentary agitation for Home Rule. The policy, they said, had failed for half a century; it was not only negative and barren, but positively harmful. Nationalists should refuse to send Members to Westminster and abide by the consequences. Sensibly enough, most Irishmen, while recognizing that there was an element of indisputable and valuable truth in this bold diagnosis, decided that it was premature to adopt the prescription. Public opinion in Britain was slowly changing, and confidence existed that this opinion would be finally converted. If the Sinn Fein alternative meant anything at all, it meant complete separation, which Ireland does not want, and a final abandonment of constitutional methods. If another Home Rule Bill were to fail, Sinn Fein would undoubtedly redouble its strength. Its ideas are sane and sound. They are at bottom exactly the ideas which actuate every progressive and spirited community, and which in Ireland animate the Industrial Development Associations, the Co-operative movement, the thirst for technical instruction, the Gaelic League, the literary revival, and the work of the only truly Irish organ of government, the Department of Agriculture and Technical Instruction.

Now, where do we stand? Are the phenomena I have reviewed arguments for Home Rule or against Home Rule? Do they tend to show that Ireland is "fitter" now for Home Rule, or that she manages very well without Home Rule? These are superfluous questions. They are never asked save of countries obviously designed to govern themselves and obstinately denied the right. Who would say now of Canada or Australia that they ought to have solved their economic,

agrarian, and religious problems and have evolved an indigenous literature before they were declared fit for Home Rule, or—still more unreasonable proposition—that their strenuous efforts after self-help and internal harmony in the teeth of political disabilities proved, in so far as they were successful, that external government was a success ?

Yet these questions were, as a fact, asked of the Colonies, as they are asked of Ireland. And misgovernment increased, and passions rose, and blood flowed, while, in the guise of dispassionate psychologists, a great many narrow, egotistical, and bullying people at home propounded these arid conundrums. Where is our common sense ? The Irish phenomena I have described arise in spite of the absence of Home Rule, and the denial of Home Rule sets an absolute and final bar to progress beyond a certain point.

That is certain ; one cannot live in Ireland with one's eyes and ears open without realizing it. All social and economic effort, successful as it is up to a certain point, and strong as its tendency is to promote nationalist feeling of the noblest kind, has to struggle desperately against the benumbing influence of abstract " politics." Suspicion comes from both sides. Both Unionists and Nationalists, for example, at one time or another have looked askance on the Co-operative movement and on the Department of Agriculture as being too Nationalist or too Unionist in tendency. Unionists caused Sir Horace Plunkett to lose his seat in Parliament in 1905 ; and Nationalists, though with some constitutional justification, secured his removal from office in 1907 At this moment there is friction and suspicion in this particular matter which seems to the impartial observer to be artificial, and which would not exist, or would be transmuted into something perfectly harmless, and probably highly beneficial, were there any normal political life in Ireland and a central organ of public opinion. As long as Great Britain insists, to her own infinite inconvenience, upon deciding Irish questions by party majorities fluctuating from Toryism to Radicalism, and thereby compels Ireland to send parties to Westminster whose *raison d'être* is, not to represent crystallized Irish opinion on Irish domestic questions—that is at present wholly impossible—but to assert or deny the fundamental right for Ireland to settle her own

domestic questions, so long will these dislocations continue, to the grave prejudice of Ireland and the deep discredit of Great Britain.

Ireland, like Canada in 1838, has no organic national life. Apart from the abstract but paramount question of Home Rule, there are no formed political principles or parties. Such parties as there are have no relation to the economic life of the country, and all interests suffer daily in consequence. In a normal country you would find urban and agricultural interests distinctly represented, but not in Ireland. We should expect to find clear-cut opinions on Tariff Reform and Free Trade. No such opinions exist. On the other hand, agreement on important industrial and agricultural questions finds not the smallest reflection in Parliamentary representation. Education, and other latent issues of burning importance, are not political issues. A Budget may cause almost universal dissatisfaction, but it goes through, and the amazing thing is that Unionists complain of its going through! Most of the Parliamentary elections are uncontested, though everybody knows that a dozen questions would set up a salutary ferment of opinion if they were not stifled by the refusal of Home Rule. The Protestant tenant-farmers of Ulster have identical interests with those of other Provinces, and have profited largely by the legislation extorted by Nationalists; but for the most part, though by no means wholly, they vote Unionist. The two great towns, Dublin and Belfast, are divided by the most irrational antagonism. Labourers, both rural and urban, have distinct and important interests; the rural labourers have no spokesman, the town-labourers only one. It was admitted to me by a Unionist organizer in Belfast that that city, but for the Home Rule issue, would probably return four labour members. Nor have parties any close relation to the distribution of wealth. In the matter of incomes the prosperous traders of Cork, Limerick, and Waterford are in the same case as regards taxation with those of Londonderry and Belfast. Publicans are Unionists in England, Nationalists in Ireland, both in Ulster and elsewhere. Before the Home Rule issue was raised, Ulster was largely Liberal. Ulster Liberalism is almost dead. Extreme Socialism may almost be said to be non-existent in Ireland, yet Ireland is not only administered on semi-collectivist principles, but

continually runs the risk of being involved in legislation of a Socialistic kind, which, rightly or wrongly, she heartily dislikes.

As for the landed aristocracy all over Ireland, their historic alliance with the intensely democratic tenant-farmers of one small corner of Ireland, North-East Ulster, against those of all the rest, presented strange enough features in the past, and is now becoming artificial in the highest degree. Thanks to Land Purchase, no landed aristocracy in the world now has a better chance of throwing its wealth and intelligence into public life for the good of the whole country, of thinking out problems, of conciliating factions, and of ennobling public life. The landlord who has sold his land is a free man, far freer than the English landlord from misgivings caused by divergency of interest. The opportunity is still there. Will they profit by it? One thing is essential: they must become Nationalists, and in breathing that phrase, one is conscious of all the misleading implications and the bitter historical feuds it suggests. Yet a small but powerful group of landlords is already leading the way. And the way, even before Home Rule, in reality is so simple. I speak from close observation. If a man is a good man, and worthy to represent a constituency, he has only to declare his belief that he thinks that he and his own fellow-citizens are fit to govern themselves. Irishmen, especially in Roman Catholic districts, and, indeed, as an indirect result of Catholicism, have never lost their belief in aristocracy. When a landlord, or any other Protestant, comes forward as a Nationalist, he is welcomed. His religion, whatever it may be, does not count. Parnell and Smith O'Brien were Protestant landlords. Many of the most trusted popular leaders, Tone, Robert Emmet, John Mitchel, Isaac Butt, and others in the past have been Protestants. Ten Members of the present Nationalist party are Protestants. The Home Rule issue would have lost some of its bitterness if a Unionist electorate had ever elected a Catholic to Parliament.

Still, it is unfortunately true that the great bulk of the landlords and ex-landlords stand aloof from the Home Rule movement. The collateral result is that far too many of them instinctively stand aloof even from those purely economic and intellectual movements which tend to make a living united

Ireland out of chaos. The national loss is heavy; the waste of talent and of driving-power, for Ireland needs driving-power from her leisured and cultured classes, is melancholy to contemplate.

Everywhere one sees waste of talent in Ireland. The land abounds in men with ideas and potentialities waiting for those normal chances of development which self-governed countries provide. Much of this good material is crushed under unnatural political tyrannies caused by ceaseless agitation for and against an abstract aim which should have been satisfied long ago, so that the energies it absorbed might have been diverted into practical channels. There is too much moral cowardice, too little bold, independent thought and action. Nobody knows what Ireland really is, and of what she is capable. Nobody can know until she has responsibility for her own fate.

Local government, where popular opinion is nominally free, suffers from the absence of free central government. Is it not on the face of it preposterous to give complete powers of local taxation and administration to a country while withholding from it, as unsafe and improper, central co-ordinating control? For any country but Ireland—at any rate, in the British self-governing Colonies and the United States—such a policy would be regarded as crazy. Still more unreasonable is it to complain that local authorities under such a system spend part of the energy which should be devoted wholly to local affairs in abstract politics. I forbear from engaging in the statistical war over the numbers of Catholics and Protestants employed and elected by local bodies. One must remember, what Unionists sometimes forget, that Ireland is, broadly speaking, a Roman Catholic country, and that until thirteen years ago local administration and patronage were almost exclusively in Protestant hands. We should naturally expect a marked change; but, with that reminder, I prefer to appeal to the reader's common sense. Deny national Home Rule, and give local Home Rule. What would one expect to happen? What would have happened in any Colony? What would Mr. Arthur Balfour himself have prophesied with certainty in the case of any other country but Ireland? Why, this, that each little local body would

become an outlet for suppressed agitation, and that national or anti-national politics, not urgent local necessities, would enter into local elections and influence the composition of local bodies. And what would be the further consequence? That numbers of the best local men would stand aloof or be rejected, and that favouritism would find a congenial soil.

In point of fact, Irish local authorities, under the circumstances, are wonderfully free from these evils, only another proof of the resilience and vitality of the country under persistent mismanagement. On the whole they bear comparison with British local authorities in thrift, purity, and efficiency. None of them has ever yet had a scandal like that of Poplar. All of them have shown sense and spirit in forwarding sanitation and technical education. They vary widely, of course, the lowest units in the scale being the least efficient, as in England. County Councils, for example, are better than Rural District Councils. On the other hand, Dublin Corporation, though not so bad as it is sometimes painted, occasionally sets a very bad example. The standard of efficiency is higher in the Protestant north than in the Catholic south, the standard of religious toleration lower. But at bottom it is not a question of theology, as every well-informed person knows, but a question of politics. The same causes that keep the landed gentry out of Parliament keep them, although not to the same degree, out of local politics. Sometimes this is their own fault, for declining to take part in them; for many of the Protestant upper class in Nationalist districts obtain election in spite of being Unionists. Tolerance is slowly growing in Nationalist, though not, it is to be feared, in Unionist, districts; again a quite intelligible fact.* But when all is said and done, it is an undeniable fact that Irish local authorities, especially those in the poverty-stricken west, where all social activities are more retrograde than elsewhere, are capable of great improvement, and that improvement can come only by allowing them to concentrate on local affairs, and obtain the co-operation of all classes and religions. The very existence of a central Government of which Irishmen were proud

* The election by Nationalist votes of Lord Ashtown, a militant Unionist peer of the most uncompromising type, in the spring of 1911 to one of the Galway District Councils is a good recent example of this tendency.

would influence the tone and standard of all minor authorities to the bottom of the scale.

Meanwhile, obvious and urgent problems, which no Parliament but an Irish Parliament can deal with, cry aloud for settlement. The Poor Law, railways, arterial drainage, afforestation, are questions which I need only refer to by name, confining myself to the greater issues. Education, primary and intermediate, is perhaps the greatest. The present system is almost universally condemned, and its bad results are recognized. It has got to be reformed. By no possibility can it be reformed so long as the Union lasts, not only because the Boards, National and Intermediate, which control education, are composed of unelected amateurs, but because there is no means of finding out what the national opinion is as to the course reform is to take. Meanwhile the children and the country suffer. The Intermediate Board is a purely examining and prize-giving body, and its system by general agreement is imperfect. In the National or Primary schools the percentage of average daily attendance (71·1 per cent.), though slowly improving, is still very bad.* Many of the school-houses are, in the words of the Commissioners, "mere hovels," unsanitary, leaky, ill-ventilated. The distribution of schools and funds is chaotic and wasteful. Out of 8,401 schools (in 1909-10)† nearly two hundred have an average daily attendance of less than fifteen pupils. In 1730 the number is less than thirty, and it is not only in sparsely inhabited country districts, but in big towns, that the distribution is bad. The power of the Commissioners to stop the creation of unduly small schools, and even semi-bogus establishments which come into being in the great cities, is imperfect. Another example of the curious mixture of anarchy and despotism that the system of Irish government presents may be seen in the Annual Report of the Commissioners. With a mutinous audacity which would be laughable, if the case were one for laughing, the Commissioners openly rail at the Treasury for the parsimony of its grants, and, in order to stir its compassion, paint the condition of Irish education in black colours. Imagine the various Departmental Ministers

* Permissive powers exist for County Councils to enforce compulsory attendance.

† Including 842 convent, 54 monastery, 125 workhouse, and 71 model schools.

in Great Britain publicly attacking in their Annual Reports the Cabinet of which they were members! The Treasury, needless to say, is not to blame. It pays out of the common Imperial purse all but a negligible fraction of the cost of primary education in Ireland. Nothing is raised by rates, and only £141,096 (in 1909-10) from voluntary and local sources, as compared with £1,688,547 from State grants. The Treasury has no guarantee that this money is well spent; on the contrary, it knows from the Reports of the Commissioners themselves that a great deal of it is very badly spent. The business is a comic opera, but it has a tragic significance for Ireland. Primary education is so bad that a great number of the pupils are absolutely unfit to receive the expensive and excellent technical instruction organized by the Department of Agriculture and Technical Instruction, and contributed to by the ratepayers. The Belfast Technical Institute, for example, has to go outside its proper functions, and spend from its too small stock in providing introductory courses in elementary subjects, so as to equip children for the reception of higher knowledge.* All over the country the complaint is the same. No machinery whatever exists for co-ordinating primary, secondary, technical, and University education, and opportioning funds in an economical and profitable manner.

Religion is the immediate cause of the trouble; absence of popular control the fundamental cause. The national system of primary education, designed originally in 1831 to be undenominational, has become rigidly denominational. Out of 8,401 primary schools, 2,461 only are attended by both Protestants and Roman Catholics. The rest are of an exclusively sectarian character. Even the Protestants do not combine. The Church of Ireland, the Presbyterians, the Methodists, and other smaller denominations, frequently have small separate schools in the same parish. The management (save in the model schools, which are attended only by Protestants) is exclusively sectarian, the local clergyman, Roman Catholic, Church of Ireland, or Nonconformist having almost autocratic control over the school.

This education question has got to be thrashed out by a

* See "Prospectus of the Municipal Technical Institute, Belfast," 1910-11, pp. 55 and 57-58. Reading, Grammar, and Simple Arithmetic are taught.

Home Ruled Ireland, and the sooner the better. After Home Rule the Treasury grant will stop, and Ireland will have to raise and apportion the funds herself, and set her house in order. At whatever sacrifice of religious scruples, and, it is needless to add that to the Roman Catholic hierarchy the sacrifice will be the greatest, the Irish people must control and finance its schools, whether through a central department alone, or through local authorities as well. There is no reason in the world why a compromise should not be arrived at which would secure vastly increased efficiency and leave the teaching of denominational religion uninjured. Other countries, where the same religions exist side by side, have attained that compromise. Ireland will be judged by her success in attaining it.

Another important question is the treatment of the Congested Districts. More than a third of Ireland is now under the benevolent jurisdiction of a despotic Board.* So long as its funds are raised from general Imperial taxation, the inevitable tendency is to shirk the thorough discussion of this grave subject, to lay the responsibility on Great Britain, to acquiesce in a policy of extreme paternalism, and to appeal for higher and higher doles from the Treasury. This cannot go on. Whoever, in the eyes of Divine Justice, was originally responsible for the condition of the submerged west, and for the ruin of the evicted tenants, Ireland, if she wants Home Rule, must shoulder the responsibility herself, and think out the whole question independently. The Congested Districts Board has done, and continues to do, good work in the purchase and resettlement of estates; but even in this sphere there are wide differences of opinion as to the proper methods and policy to be employed, especially with regard to the division of grasslands and the migration of landless men. Its other remedial work (part of which is now taken over by the Department of Agriculture under the Land Act of 1909), in encouraging fisheries, industries, and farm improvements out of State money, is open to criticism on the ground of its tendency to pauperize and weaken character. I do not care to pronounce on the controversy, though I think that there is much to be said for the view that money is best spent

* See Report of the Congested Districts Board, 1909-11.

by encouraging agricultural co-operation. Many able and distinguished men have devoted their minds to the subject, but it is plain that Ireland as a whole has not thought, and cannot think, the matter out in a responsible spirit, and that the only way of reaching a truly Irish decision is through an Irish Parliament, which both raises and votes money for the purpose.* The reinstatement of evicted tenants teems with practical difficulties which can only be solved in the same way. As long as Great Britain remains responsible, errors are liable to be made which one day may be deeply regretted.

The same observation applies to all future land legislation, not excepting Land Purchase, which I deal with fully in a later chapter.† That great department of administration must, for financial reasons, be worked in harmonious consultation with the British Government; but it ought to be controlled by Ireland, and a free and normal outlet given to criticisms like those emanating from Mr. William O'Brien, whatever the intrinsic value of these criticisms. Purchase itself settles nothing beyond the bare ownership of the land. It leaves the distribution and use of the land, except in the "resettled" districts, where it was, with a third or a quarter of the holdings so small as to be classed as "uneconomic." Ireland is not as yet awake to the possibilities of the silent revolution proceeding from the erection of a small peasant proprietorship. The sense of responsibility in these new proprietors will be quickened and the interests of the whole country forwarded by a National Parliament.

Temperance will never be tackled thoroughly but by an Irish Parliament. All Irishmen are ashamed in their hearts of the encouragement given to drunkenness by the still grossly excessive number of licensed houses, which in 1909 was 22,591, and of the National Drink Bill, which in the same year was £13,310,469,‡ or £3 11d. per head of a population not rich in this world's goods. Temperance is not really a party or a sectarian question. All the Churches make noble efforts to

* See Report of Royal Commission on Congestion in Ireland (Cd. 4097); especially a Memorandum by Sir Horace Plunkett, published as a separate pamphlet by the Department of Agriculture and Technical Instruction.

† See Chapter XIV.

‡ Annual Report (1910) of the "Irish Association for the Prevention of Intemperance." The estimate is that of Dr. Dawson Burns. By the Licensing (Ireland) Act of 1902, the issue of any new licenses was prohibited.

forward reform, and in a rationally governed Ireland reform would be considered on its merits. At present it is inextricably mixed up with Nationalist and anti-Nationalist politics, and with irrelevant questions of Imperial taxation.

The latest examples of the embarrassment into which Ireland without Home Rule is liable to drift from the absence of a formed public opinion and the means to give it effect, are the labour troubles and the National Insurance scheme. There are signs that English labour is thrusting forward Irish labour in advance of its own will and in advance of general Irish opinion. In all labour questions Ireland's position as an agricultural country is totally different from that of Great Britain. The same legislation cannot be applicable to both. Ireland should frame her own. Under present conditions it is impossible to know the considered judgment of Ireland. There is certainly much opposition to Insurance, and if all Irishmen thoroughly realized that the scheme might complicate the finance of Home Rule and involve a greater financial dependence on Great Britain than exists even at present, they would study it with still more critical eyes,* as they would certainly have studied the Old Age Pensions scheme with more critical eyes.

Here I am led naturally to the great and all-embracing questions of Irish finance and expenditure, which lie behind all the topics already discussed and many others. The subject is far too important and interwoven with history to be dealt with otherwise than as an historical whole, and that course I propose to take in a later part of the book. It is enough to say that all the arguments for Home Rule are summed up in the fiscal argument. Every Irishman worth his salt ought to be ashamed and indignant at the present position.

The whole machinery of Irish Government, and the whole fiscal system under which Ireland lives, need to be thoroughly overhauled by Irishmen in their own interests, and in the interests of Great Britain. Among many other writers, Mr. Barry O'Brien, in his "Dublin Castle and the Irish People," Lord Dunraven in "The Outlook in Ireland," and Mr. G. F.-H. Berkeley in a paper contributed to "Home Rule Problems," have lucidly and wittily described the wonderful collection of

* I write before the scheme has been fully discussed in Parliament.

sixty-seven irresponsible and unrelated Boards nominated by the Chief Secretary, or Lord-Lieutenant, which, with the official services beneath them, constitute the colonial beuraucracy of Ireland; the extravagance of the judicial and other salaries, and the total lack of any central control worthy of the name. By omitting a number of insignificant little bureaux, the figure 67, according to Mr. Berkeley's classification, may be reduced to 42, of which 26 are directly under Castle influence, and the rest either branches of British Departments or directly under the Treasury. In 1906, out of 1,611 principal official posts, 626 were obtained purely by nomination, and 766 by a qualifying examination only. In an able-bodied male population, which we may estimate at a million, there are reckoned to be about 60,000 persons employed by the State, or 1 in 18. If we add 180,000 Old Age Pensioners, we reach the figure of nearly a quarter of a million persons, out of a total population of under four and a half millions, dependent wholly or partially for their living on the State, exclusive of Army and Navy pensioners; again about 1 in 18. Four millions of money are paid in salaries or pensions to State employees, and two and three-quarter millions to Old Age Pensioners.

It is so easy to make fun about Irish administration that one has to be cautious not to mistake the nature or exaggerate the dimensions of the evil. The great defect is that the expenditure is not controlled by Ireland and has no relation to the revenue derived from Ireland. The Castle is not the odious institution that it was in the dark days of the land war; but it is still a foreign, not an Irish institution, working, like the Government of the most dependent of Crown Colonies, in a world of its own, with autocratic powers, and immunity from all popular influence. Beyond the criticism that one religious denomination, the Church of Ireland, is rather unduly favoured in patronage, there is no personal complaint against the officials. They are as able, kindly, hard-working, and courteous as any other officials. Some of the principal posts are held by men of the highest distinction, who will be as necessary to the new Government as to the old. It is absolutely essential, but it will not be easy, to make substantial administrative economies at the outset, not only from the additional stress

of novel work which will be thrown upon a Home Rule Government, but from the widespread claims of vested interests. It will require courageous statesmanship, backed by courageous public opinion, to overhaul a bureaucracy so old and extensive. Take the police, for example, the first and most urgent subject for reduction. Adding the Royal Irish Constabulary and the Dublin Metropolitan Police together, we have a force of no less than 12,000 officers and men, a force twice as numerous in proportion to population as those of England and Wales, and costing the huge sum of a million and a half; and this in a country which now is unusually free from crime, and which at all times has been naturally less disposed to crime than any part of Great Britain. It is the forcible maintenance of bad economic conditions that has produced Irish crime in the past. Irishmen hotly resent that symbol of coercion, the swollen police force, which is as far removed from their own control as a foreign army of occupation. On the other hand, the force itself is composed of Irishmen, and is a considerable, though an unhealthy, economic factor in the life of the country. It performs some minor official duties outside the domain of justice; it is efficient, and its individual members are not unpopular. Reduction will be difficult. But drastic reduction, at least by a half, must eventually be brought about if Ireland is to hold up her head in the face of the world.

The difficulty will extend through all the ramifications of public expenditure. Ireland, through no fault of her own, against her persistent protests, has been retained in a position which is destructive to thrifty instincts. A rain of officials has produced an unhealthy thirst for the profits of officialdom. No one feels responsibility for the money spent for national purposes, because no one in Ireland *is*, in any real sense, responsible. There is no Irish Budget or Irish Exchequer to make a separate Irish Government logically defensible. The people are heavily taxed, but, rightly, they do not connect their taxes with the expenditure going on around them. On the contrary, their mental habit is to look to Great Britain as the source of grants, salaries, pensions.

And the worst of it is that they are now at the point of being financially dependent on Great Britain. After more than a

century of Union finance, after contributing, all told, over three hundred and twenty millions of money to the Imperial purse over and above expenditure in Ireland, they have now ceased to contribute a penny, and are a little in debt. As we shall see, when I come to a closer examination of finance, the main factor in producing this result has been the Old Age Pensions. The application of the British scale, unmodified, to Ireland is the kind of blunder which the Union encourages. Ireland, where wages and the standard of living are far lower than in England, does not need pensions on so high a scale, and already suffers too much from benevolent paternalism. It was an unavoidable blunder, given a joint financial system, but it has gravely compromised Home Rule finance.

For acquiescing in this and similar grants, beyond the ascertained taxable resources of the country; for the general deficiency of public spirit and matured public opinion in Ireland; for the backwardness of education, temperance legislation, and other important reforms, the Irish Parliamentary parties cannot be held responsible. They are abnormal in their composition and aims, and, beyond a certain limited point, they are powerless, even if they had the will, to promote Irish policies. That is the pernicious result of an unsatisfied claim for self-government. It is the same everywhere else. While an agitation for self-government lasts, a country is stagnant, retrograde, or, like Ireland, progressive only by dint of extraordinary native exertions. Read the Durham report on the condition of the Canadas during the long agitation for Home Rule, and you will recognize the same state of things. The leaders of the agitation have to concentrate on the abstract and primary claim for Home Rule, and are reluctant to dissipate their energies on minor ends. Yet they, too, are liable to irrational and painful divisions, like that which divides Mr. O'Brien from Mr. Redmond; symptoms of irritation in the body politic, not of political sanity. They cannot prove their powers of constructive statesmanship, because they are not given the power to construct or the responsibility which evokes statesmanship. The anti-Home Rule partisans degenerate into violent but equally sincere upholders of a pure negation.

Many of the able men who belong to both the Irish parties

will, it is to be hoped, soon be finding a far more fruitful and practical field for their abilities in a free Ireland. But the parties, as such, will disappear, on condition that the measure of Home Rule given to Ireland is adequate. On that point I shall have more to say later. If it is adequate, and Irish politicians are absorbed in vital Irish politics, the structure of the existing parties falls to pieces, to the immense advantage both of Ireland—including the Protestant sections of Ulster—and of Great Britain. At present both parties, divided normally by a gulf of sentiment, do combine for certain limited purposes of Irish legislation, but both are, in different degrees and ways, sterile. The policy of the Nationalist party has been positive in the past, because it wrung from Parliament the land legislation which saved a perishing society. It is essentially positive still in that it seeks Home Rule, which is the condition precedent to practical politics in Ireland. More, the party is independent, in a sense which can be applied to no other party in the United Kingdom. Its Members accept no offices or titles, the ordinary prizes of political life. But they themselves could not contend that they are truly representative of three-quarters of Ireland in any other sense than that they are Home Rulers. Half of the wit, brains, and eloquence of their best men runs to waste. Some of them are merely nominated by the party machine, to represent, not local needs, but a paramount principle which the electors insist rightly on setting above immediate local needs.

The purpose of the Irish Unionist party in the Commons is purely negative, to defeat Home Rule. It does not represent North-East Ulster, or any other fragment of Ireland, in any sense but that. It is passionately sentimental and absolutely unrepresentative of the practical, virile genius of Ulster industry. The Irish Unionist peers, in addition to voicing the same negative, are for the most part the spokesmen of a small minority of Irishmen in whom the long habit of upholding landlord interests has begun to outlive the need.

I have said little directly about the problem of modern Ulster, not because I underrate its importance, which is very great, but because I have some hope that my arguments up to this point may be perceived to have a strong, though

indirect, bearing upon it.* The religious question I leave to others, with only these few observations. It is impossible to make out a historical case for the religious intolerance of Roman Catholics in Ireland, or a practical case for the likelihood of a Roman Catholic tyranny in the future. No attempt which can be described as even plausible has ever been made in either direction. The late Mr. Lecky, a Unionist historian, and one of the most eminent thinkers and writers of our time, has nobly vindicated Catholic Ireland, banishing both the theory and the fear into the domain of myth.†

He has shown, what, indeed, nobody denies, that, from the measures which provoked the Rebellion of 1641, through the Penal Code, to the middle of the nineteenth century, intolerance, inspired by supposed political necessities, and of a ferocity almost unequalled in history, came from the Protestant colonists. In that brilliant little essay of his Nationalist youth, "Clerical Influences" (1861), he described the sectarian animosity which was raging at that period as "the direct and inevitable consequence of the Union," and wrote as follows: "Much has been said of the terrific force with which it would rage were the Irish Parliament restored. We maintain, on the other hand, that no truth is more clearly stamped upon the page of history, and more distinctly deducible from the constitution of the human mind, than that a national feeling is the only check to sectarian passions." He was himself an anti-Catholic extremist in the sense of holding (with many others) that "the logical consequences of the doctrines of the Church of Rome would be fatal to an independent and patriotic policy in any land." But he insists in the same passage "that nothing is more clear than that in every land where a healthy national feeling exists, Roman Catholic politicians are both independent and patriotic."

He never recanted these opinions (which are confirmed

* It is scarcely necessary for me to remind the reader that the word "Ulster," as used in current political dialectics, is misleading. Part of Ulster is overwhelmingly Catholic; in part the population is divided between the two creeds, and in two counties it is overwhelmingly Protestant. In the whole province the Protestants are in a majority of 150,000, but since a number of Protestants vote Nationalist, the representation of the province is almost equal, the Unionists holding seventeen seats out of thirty-three.

† "Ireland in the Eighteenth Century," "Leaders of Public Opinion in Ireland," "Clerical Influences."

by the subsequent course of events) even after his conversion to Unionism, but derived his opposition to Home Rule from a dread of all democratic tendencies,* the only ground on which, if men would be willing to confess the naked truth, it can be opposed. There the matter ought to rest. If the doctrines of the Church of Rome are, in fact, inconsistent with political freedom—I myself pronounce no opinion on that point—it is plain to the most superficial observer that the Church, as a factor in politics, stands to lose rather than to gain by Home Rule. British statesmen have often accepted that view, and have endeavoured to use the Roman Catholic hierarchy against popular movements, just as they enlisted its influence to secure the Union. The Roman Catholic laity have often subsequently rejected what they have considered to be undue political dictation from the seat of authority in Rome.

If I may venture an opinion, I believe that both of these mutually irreconcilable propositions—that Home Rule means Rome Rule, and that Rome is the enemy to Home Rule—are wrong.† Such ludicrous contradictions only help to destroy the case against trusting a free Ireland to give religion its legitimate, and no more than legitimate, position in the State. Ireland is intensely religious, and it would be a disaster of the first magnitude if the Roman Catholic masses were to lose faith in their Church. The preservation of that faith depends on the political Liberalism of the Church.

Corresponding tolerance will be demanded of Ulster Protestants. At present passion, not reason, governs the religious side of their opposition to Home Rule. It is futile to criticize Ulster Unionists for making the religious argument the spear-head of their attack on Home Rule. The argument is one which especially appeals to portions of the British electorate, and the rules of political warfare permit free use of it. It was pushed beyond the legitimate point, to actual violence, in the Orange opposition to responsible government in Canada in 1849. And it has more than once inflamed and embittered Australian politics, as it inflames the politics of

* See "Democracy and Liberty."

† Many Unionists are to be found in the same breath prophesying Catholic tyranny under Home Rule and averring without any evidence that clerical influence caused the repudiation in 1907 of the Council Bill, because it placed education under a semi-popular body.

certain English constituencies. But it is hardly to be conceived that Ulster Unionists really fear Roman Catholic tyranny. The fear is unmanly and unworthy of them. To anyone who has lived in an overwhelmingly Catholic district, and seen the complete tranquillity and safety in which Protestants exercise their religion, it seems painfully abnormal that a great city like Belfast, with a population more than two-thirds Protestant, should become hysterical over Catholic tyranny. It would be physically impossible to enforce any tyrannical law in Ulster or anywhere else, even if such a law were proposed, and many leading Protestants from all parts of Ireland have stated publicly that they have no fear of any such result from Home Rule.*

"Loyalty" to the Crown is a false issue. Disloyalty to the Crown is a negligible factor in all parts of Ireland. Loyalty or disloyalty to a certain political system is the real matter at issue. At the present day the really serious objections to Home Rule on the part of the leading Ulster Unionists seem to be economic. They have built up thriving trades under the Union. They have the closest business connections with Great Britain, and a mutual fabric of credit. They cherish sincere and profound apprehensions that their business prosperity will suffer by any change in the form of government. To scoff at these apprehensions is absurd and impolitic in the last degree. But to reason against them is also an almost fruitless labour. Those who feel them vaguely picture an Irish Parliament composed of Home Rulers and Unionists, in the same proportion to population as at present, and divided by the same bitter and demoralizing feuds. But there will be no Home Rulers after Home Rule, that is to say, if the Home Rule conceded is sufficient. I believe that Ulster Unionists do not realize either the beneficent transformation which will follow a change from sentimental to practical politics in Ireland, as it has followed a similar change in every other country in the Empire, or the enormous weight which their own fine qualities and strong economic position will give them in the settlement of Irish questions.

Nor do they realize, I venture to think, that any Irish

* "Religious Intolerance under Home Rule: Some Opinions of Leading Irish Protestants," pamphlet (1911) compiled by J. McVeagh, M.P.

Government, however composed, will be a patriotic Government pledged and compelled for its own credit and safety to do its best for the interests of Ireland. I have never met an Irishman who was not proud of the northern industries, and it is obvious that the industrial prosperity of the north is vital to the fiscal and general interests of Ireland, just as the far more wealthy mining interests of the Rand are vital to the stability and prosperity of the Transvaal, and were regarded as such and treated as such by the farmer majority of the Transvaal after the grant of Home Rule. Those interests have prospered amazingly since, and in that country, be it remembered, volunteer British corps raised on the Rand had been the toughest of all the British foes which the peasant commandos had to meet in a war ended only four years before.

If the fears of Ulster took any concrete form, it would be easier to combat them ; but they are unformulated, nebulous. Meanwhile, it is hard to imagine what measure of oppression could possibly be invented by the most malignant Irish Government which would not recoil like a boomerang upon those in whose supposed interests it was framed. I shall have to deal with this point again in discussing taxation, and need here only remind the reader that Ulster is not a Province, any part of which could possibly be injured by any form of taxation which did not hit other Provinces equally.

It is the belief of Ulster Unionists that their prosperity depends on the maintenance of the Union, but the belief rests on no sound foundation. Rural emigration from Ulster, even from the Protestant parts, has been as great as from the rest of Ireland.* It is easy to point to a fall in stocks when the Home Rule issue is uppermost, but such phenomena occur in the case of big changes of government in any country. They merely reflect the fact that certain moneyed interests do, in fact, fear a change of government, and whether those fears are irrational or not, the effect is the same. It is an historical fact, on the other hand, that political freedom in a white country, in the long run invariably promotes

* The Census of 1911 shows that the population of Ireland is still falling. The province of Leinster, mainly Catholic, alone shows a small increase, derived from the counties of Dublin (including Dublin City) and Kildare. In Ulster, Down and Antrim, which include the city of Belfast, alone show an increase, but not so great as that of County Dublin.

industrial expansion and financial confidence. Canada is one remarkable example, Australia is another. The Balkan States are others. Not that I wish to push the colonial example to extremes. Vast undeveloped territories impair the analogy to Ireland; but it is none the less true that when a country with a separate economic life of its own obtains rulers of its own choice, and gains a national pride and responsibility, it goes ahead, not backward.

Intense, indeed, must be the racial prejudice which can cause Ulstermen to forget the only really glorious memories of their past. Orange memories are stirring, but they are not glorious beside the traditions of the Volunteers. The Orange flag is the symbol of conquest, confiscation, racial and religious ascendancy. It is not noble for Irishmen to celebrate annually a battle in which Ireland was defeated, or to taunt their Catholic compatriots with agrarian lawlessness to which their own forefathers were forced to resort, in order to obtain a privileged immunity from the same scandalous land laws. Ulstermen reached spiritual greatness when, like true patriots, they stood for tolerance, Parliamentary reform, and the unity of Ireland. They fell, surely, when they consented to style themselves a "garrison" under the shelter of an absentee Parliament, which, through the enslavement and degradation of the old Irish Parliment, had driven tens of thousands of their own race into exile and rebellion.

They cherish the Imperial tradition, but let them love its sublime and reject its ignoble side. It is sublime where it stands for liberty; ignoble—and none knew this better than the Ulster-American rebels—where it stands for government based on the dissensions of the governed.

The verdict of history is that for men in the position of the Ulster Unionists, the path of honour and patriotism, and the path of true self-interest, lies in co-operation with their fellow-citizens for the attainment of political freedom under the Crown. It is not as if they had to create a tradition. The tradition lives.

CHAPTER X

THE FRAMEWORK OF HOME RULE

I.

The Elements of the Problem.

It was not only to support the principle of Home Rule for Ireland that I followed in some detail the growth of the Liberal principle of government as applied to outlying portions of the British Empire. The historical circumstances which moulded the form of each individual Colonial Constitution, the Constitutions themselves, and the modifications they have subsequently undergone, supply a mass of material rich in interest and instruction for the makers of an Irish Constitution. Nor is the analogy academical. Ireland is at this moment under a form of government unique, so far as I know, in the whole world, but resembling more closely than anything else that of a British Crown Colony where the Executive is outside popular control, and the Legislature is only partially within it; with this additional and crowning inconvenience, that the Irish Crown Colony can obstruct the business of the Mother Country. What we have to do is to liberate Great Britain and to give Ireland a rational Constitution—not pedantically adhering to any colonial model, but recognizing that, however closely her past history resembles that of a Colony, Ireland, by her geographical position, has a closer community of interest with Great Britain than that of any Colony.

Three main difficulties have to be contended with: first, that the system to be overthrown is so ancient, and the prejudice against Home Rule so inveterate; second, the Irish are not agreed upon any constructive scheme; third, the confusion in the popular mind between "Federal" and other systems of Home Rule.

A.

With regard to the first of these obstacles, we have got to make a big national effort to take a sensible and dispassionate view of the whole problem. We must cease to regard Ireland as an insubordinate captive, as a "possession" to be exploited for profit, or as a child to be humoured and spoiled. All this is *vieux jeu*. It belongs to an utterly discredited form of so-called Imperialism, which might more fitly be called Little Englandism, masquerading in the showy trappings of Bismarckian philosophy. We have gone too far in the "dismemberment" of our historic Empire, and near enough to the dismemberment of what remains, to apply this worn-out metaphor to the process of making Ireland politically free.

In Ireland we must build on trust, or we build on sand.

What is best for Ireland will be best for the Empire.

Let us firmly grasp these principles, or we shall fail. They may be carried to the extreme point. If it were for Ireland's moral and material good to become an independent nation, it would be Great Britain's interest to encourage her to secede and assume the position of a small State like Belgium, whose independence in our own interests we guarantee. Since nobody of sense, in or out of Ireland supposes that her interest lies in that direction, we need not consider the point; but it is just as well to bear in mind that a prosperous and friendly neighbour on a footing of independence is better than a discontented and backward neighbour on a footing of dependence. The corollary is this—that any restrictions or limitations upon the subordinate Irish Government and Parliament which are not scientifically designed to secure the easy working of the whole Imperial machinery, but are the outcome of suspicion and distrust, will serve only to aggravate existing evils. When the supreme object of a Home Rule measure is to create a sense of responsibility in the people to whom it is extended, what could be more perversely unwise than to accompany the gift with a declaration of the incompetence of the people to exercise responsibility, and with restraints designed to prevent them from proving the contrary?

Centuries of experience have not yet secured general acceptation for this simple principle. In this domain of thought the

tenacity of error is marvellous, even if we make full allowance for the disturbing effect on men's minds of India and other coloured dependencies where despotic, or semi-despotic, systems are in vogue. Since the expansion of England began in the seventeenth century, it cannot be said that the principle of trusting white races to manage their own affairs has ever received the express and conscious sanction of a united British people. It has been repeatedly repudiated by Governments in the most categorical terms, and repudiated sometimes to the point of bloodshed. In other cases it has met with lazy retrospective acquiescence on the discovery that powers surreptitiously obtained or granted without formal legislation had not been abused. The Australian Acts of 1850 and 1855 were the first approach to a spontaneous application of the full principle; but even then many statesmen were not fully alive to the consequences of their action, while there was no public interest, and very little Parliamentary interest, in the fate of these remote dependencies. The fully developed modern doctrine of comradeship with the great self-governing Dominions, a doctrine which we may date from the accession of Mr. Chamberlain to Colonial Secretaryship in 1895, was not the natural outcome of a belief in self-government, but a sudden and effusive acceptation of its matured results in certain definite cases. Irish Home Rule itself had, in the preceding decade, twice been rejected by the nation. With the first opportunity, after 1895, of testing belief in the principle, namely, in the Transvaal Constitution of 1905, the Government failed. Finally, in 1906, when, to redeem that failure, for the first time in the whole history of the Empire a Cabinet spontaneously and unreservedly declared its full belief in the principle, and translated that belief into law, the whole of the Opposition, representing nearly half the electorate, washed their hands of the policy, and, if the constitutional means had existed, would, admittedly, have defeated it, as they had defeated the Home Rule Bills of 1886 and 1893. The change of national opinion has, I believe, been considerable; but the circumstances remain ominous for the dispassionate discussion of the Irish Constitution. Patriotic people can only do their best to ensure that the grant of Home Rule shall not be nullified by restrictions and limitations which, if they are designed merely

to appease opposition, are destined to create friction and discontent.

I am far from implying that restrictions are bad things in themselves. All Constitutions, whether the sole work of the men who are to live under them, like that of the United States, or the gift of a Sovereign State to a dependency, or the joint work of a Sovereign and a dependent State, contain restrictions designed for the common good. The criterion of their value is the measure of consent they meet with from those who have to live under and work the Constitution, and it is that circumstance which makes it urgent that Irish opinion should be evoked upon their future Constitution, and that the Irish Nationalist party should think out its own scheme of Home Rule. The Constitution of the United States contains many self-imposed restrictions upon the powers both of the Central and the State Governments, in the interest of minorities; and nobody accuses the Americans of having insulted themselves.

It will be no slur on Ireland, for example, if the most elaborate safeguards against the oppression of the Protestant minority are inserted in the Bill, provided that Nationalist Ireland, recognizing the fears of the minority, spontaneously recommends, or, at any rate, freely consents to their insertion —a consent which could not, of course, be expected if their tendency was to derange the functions of Government or cripple the Legislature.

On the other hand, it would be a slur on Ireland which she would justly resent, besides being a highly impolitic step, to deny to the Irish Executive an important power, such, for example, as the control of its own police.

B.

It is a grave difficulty that there is no public opinion in Ireland as to the form of the Irish Constitution. That is an almost inevitable result of political conditions past and present. Violent intestinal antagonisms are not favourable to constructive thought. The best men of a country, working in harmony, are needed to devise a good Constitution, and if any Irishman could succeed in convening a Conference like

that which created the South African Union, he would be famous and honoured for ever in the annals of the future Ireland. That Conference, we must remember, was itself the result of the grants of Home Rule two years previously, and these grants in their turn were greatly facilitated by the co-operation of Britons and Dutchmen.* Canada, in 1840, is a warning of the errors made in constructing a Constitution without such co-operation. Eventually it had to be torn up and refashioned. The best way of avoiding any such error in Ireland's case is to expel the spirit of distrust which animated the framers of the Canadian Union Act of 1840.

C.

So much for the spirit in which we should approach the problem, and I pass to the consideration of the problem itself. What is to be the framework of Home Rule? I take it for granted that there must, in the broad sense, be responsible government, that is to say, an Irish Legislature, with an Irish Cabinet responsible to that Legislature, and, through the Lord-Lieutenant, to the Crown. So much is common ground with nearly all advocates of Home Rule, for I take it that there is no question of reverting to anything in the nature of the abortive Irish Council Bill of 1907.† But agreement upon responsible government does not carry us far enough. What are to be the relations between the subordinate Irish Parliament and Government, and the Imperial Parliament and Government?

We immediately feel the need of a scientific nomenclature. In popular parlance, two possible types of Home Rule are recognized—"Federal" and "Colonial." Both, of course, may be "Colonial," because there are Colonial Federations as well as Colonial Unitary States. But, nomenclature apart, the two possible types of Irish Home Rule correspond to two

* See p. 140.

† The Bill set up a Council of eighty-two elected and twenty-four nominated members, with the Under-Secretary as an *ex-officio* member. So far it resembled the abortive Transvaal Constitution of 1905 (see p. 180), but the Irish Council was only to be given control of certain specified Departments, and was financed by a fixed Imperial grant. It was to have no power of legislation or taxation, and was under the complete control of the Lord-Lieutenant.

distinct types of subordinate Constitution. The "Colonial" type is peculiar to the British Empire, the other is to be found in many parts of the world—the United States, for example, and Germany, and Switzerland.

Let us examine these types a little more closely, confining ourselves as far as possible to the British Empire, past and present, because within it we can find nearly all the instruction we need. As I showed in my sketch of the growth of Colonial Home Rule, all the Colonies now classed as self-governing, together with the American Colonies before their independence, were originally unitary States, subordinate to the Crown, each looking directly to Great Britain, possessing no constitutional relation with one another, and gradually obtaining their individual local autonomies under the name of "Responsible Government." New Zealand and Newfoundland alone have maintained their original individualities, and their Constitutions, from an historical standpoint, are the best examples of the first of the two types we are considering. Now for the Federal type. Very early in the history of the American Colonies (in 1643) the New England group formed amongst themselves a loose confederation, which was not formally recognized by the British Government, and which perished in 1684. In the next century the War of Independence produced the confederation of all the thirteen Colonies, but this was little more in effect than a very badly contrived alliance for military purposes, and it was a keen sense of the inadequacy of the bond that stimulated the construction of the Great Constitution of 1787, the first Federal Union ever devised by the English-speaking race. All the States combined to confer certain defined powers upon a Federal Parliament, to which each sent representatives, and upon a Federal Executive whose head, the President, all shared in electing. At the same time, each State preserved its own Constitution and the power to amend it, with the one broad condition that it must be Republican, and subject to any limitation upon its powers which the Federal Constitution imposed.

Eighty years elapsed before any similar Federal Union was formed by Colonies within the British Empire. As we have seen, all the various North American Colonies which received Constitutions in the last quarter of the eighteenth century, and

all the Australasian Colonies similarly honoured in the nineteenth century, were placed in direct relation to the British Crown and in isolation from one another. Upper Canada had no political ties with Lower Canada, Nova Scotia none with New Brunswick, Victoria none with Tasmania. Several abortive schemes were proposed at one time or another for the Federation of the North American Colonies, but the first measure of amalgamation, namely, the union of the two Canadas in 1840, was a step in the wrong direction, and bore, as I have shown, a marked resemblance, particularly in the motives which dictated it, to the Union of Great Britain and Ireland. It was a compulsory Union, imposed by the Mother Country, and founded on suspicion of the French. So far from being Federal, it was a clumsy and unworkable Legislative Union of the two Provinces, which lasted as long as it did only because the principle of responsible government, established in 1847, covered a multitude of sins. The somewhat similar attempt in Australia in 1843 to amalgamate the two settlements of Port Phillip, afterwards Victoria, and New South Wales, at a time when each had evolved a distinct individuality of its own, was defeated by the strenuous opposition of the Port Phillip colonists, and revoked in 1850.

Meanwhile, all aspirations after Federation in the outlying parts of the Empire were discouraged by the home authorities. The most practical plan of all, Sir George Grey's great scheme of South African Federation in 1859, was nipped in the bud. Canada eventually led the way. The failure of the Canadian Union brought about its dissolution in 1867 by the Provinces concerned, under the sanction of Great Britain (an example of really sensible "dismemberment"), and their voluntary Federation as Ontario and Quebec, together with Nova Scotia and New Brunswick, under the collective title of the Dominion of Canada, and the subsequent inclusion in this Federation of all the North American Provinces with the exception of Newfoundland.

Note, at the outset, that this Federation differed from that of the United States in being founded on the recognition of an organic relation with an external suzerain authority—an authority which the Americans had abjured in framing their independent Republic. In the matter of constitutional rela-

tions with Great Britain, the Dominion of Canada now assumed, in its collective capacity, the position formerly held by each individual Province, and still held by Newfoundland. Direct relations between the individual Provinces of the Federation and the Mother Country practically ceased, and were replaced by a Federal relation with the Dominion. Provincial Lieutenant-Governors are appointed by the Dominion Government acting in the name of the Governor-General, not directly by the British Government,* and, although in constitutional theory the Crown, as in every least fraction of the Empire, is the sole and immediate source of executive authority, and an indispensable agent in all legislation, not only in the Dominion, but in the Provinces,† in actual practice the only organic connection left between a Province and Great Britain is the right of appeal directly to the King in Council, that is, to the Judicial Committee of the Privy Council, without the intervention of the Supreme Court of Canada.

So much for the external relations of the Dominion. In respect to the domestic relations between the Provinces and the Dominion, the Federal principle used in Canada is fundamentally the same as that which obtains in the United States and in every true Federation in the world, whether Monarchical or Republican, whether self-contained, like the United States, Germany, and Switzerland, or linked, as in the British Empire, to a supreme and sovereign Government centred in London. Each Province, as in every genuine Federation, is an *imperium in imperio*, possessing a Constitution of its own, and delegating central powers to a Federal Government. The nature and extent of the powers thus delegated or reserved, and the character of the Federal Constitution itself, vary widely in different Federations, but we need not consider these differences in any detail. Let us remark generally, however, that the powers of

* This arrangement, which is peculiar to the Canadian Federation, is regarded by some authorities as a somewhat serious infraction of the Federal principle, since it seems to imply executive control of the Province by the central Government. The Governors of the States in the Australian Federation are appointed by the Home Government.

† The Judicial Committee has ruled "that the relation between the Crown and the Provinces is the same as that between the Crown and Dominion in respect of such powers, executive and legislative, as are vested in them respectively" (Maritime Bank of Canada *v.* Receiver-General of New Brunswick, 1892).

the Canadian Province are much smaller than those of the American State, and that what lawyers call "the residuary powers"—that is, all powers not specifically allotted—belong to the Dominion, whereas in the United States and Switzerland they belong to the State or Canton.

The Australian Commonwealth of 1900 came into being in the same way as the Dominion of Canada, by the voluntary act of the several Colonies concerned—Victoria, New South Wales, Tasmania, South Australia, Western Australia, Queensland—under the sanction of the British Crown and Parliament. New Zealand stood out, and remained, like Newfoundland, a unitary State directly subordinate to Great Britain. Nor, in the matter of relations with the Mother Country, were the federating Colonies merged so completely in the Commonwealth as the Provinces of Canada in the Dominion. The Canadians had not only to construct the Dominion Constitution, but new Constitutions for two of the federating Provinces —Ontario and Quebec—and it was natural, therefore, that they should identify the Provinces more closely with the Dominion. The Australians, having to deal with six ready-made State Constitutions, left them as they were, subject only to the limitations imposed by the Commonwealth Constitution. One of the results is that the State Governors are still appointed directly by the British Government, not by the Commonwealth. This constitutional arrangement, however, has no very practical significance. The right of appeal direct from a State Court to the King in Council, without the intervention of the High Court of Australia, remains, as in Canada, the only direct link between the individual States and the British Government.

The Federal tie between the States and the Commonwealth, as defined in the Act of 1900, is looser than that between the Provinces of Canada and the Dominion, and bears more resemblance to the relation between a State and the Federal Government of the United States. As in that country and in Switzerland, residuary powers rest with the State or Canton Governments, not with the Federal Government.

The South African Union of 1909, comprising the Colonies of the Cape of Good Hope, Natal, the Transvaal, and the Orange River Colony, had a Federal origin, so to speak, in

that the old Colonies agreed to abandon a great part of their autonomies to a central Government and Legislature; but the spirit of unity carried them so far as almost to annul State rights. The powers now retained by the provincial Legislatures are so small, and the control of the Union Government is so far-reaching, that the whole system is rightly described as a Union, not as a Federation. The Provinces, which are really little more than municipalities, have no longer any relation except in remotest constitutional theory with the Mother Country, their Administrators are appointed by the Union, and, unlike the Provinces of Canada and the States of Australia, they have not even an internal system of responsible government.* No direct appeal lies to the King in Council from the provincial Courts, which are now, in fact, only "divisions" of the Supreme Court of South Africa. The Provinces, in short, do not possess "Constitutions" at all. Their powers can be extinguished without their individual assent by an Act of the Union Parliament, whereas the Canadian Dominion has no power to amend either the Dominion or the Provincial Constitutions, and in Australia constitutional amendments must be agreed to by the States separately as well as by the Commonwealth Parliament. But these revolutionary changes in the status of the old South African Colonies were brought about, let us remember, by the free consent of the inhabitants of South Africa, after prolonged deliberation.

The United States, the Australian Commonwealth, and the Canadian Dominion are, then, the three genuine Federations which the English-speaking races have constructed. The two last are included in the present British Empire, and they stand side by side with the three unitary Colonies—South Africa, New Zealand, and Newfoundland. The constitutional relation of each of these five bodies to the Mother Country is precisely the same, although they differ widely in internal structure, as in wealth and population. Within each of the two Federations, as we have seen, there exists a nexus of minor Constitutions, State or Provincial, which have virtually no relations with the Mother Country, but are integral parts of the major Federation.

* They are governed by Executive Committees, the members of which need not be members of the Councils.

II.

Federal or Colonial Home Rule?

We are now in a position to pose our main question, and the simplest course is to pose it in an illustrative form. Broadly speaking, is the relation between Ireland and Great Britain to resemble that between the Province of Quebec and the Dominion of Canada, or that between the Dominion of Canada and the United Kingdom? One might equally well contrast the relation of Victoria to the Australian Commonwealth with the relation of New Zealand or Newfoundland to the United Kingdom. I choose the Canadian illustration because it is more compact and striking, and because it corresponds more closely to the history and to the realities of the case. Moreover, Quebec, although she had a no more stormy domestic history, owing to lack of Home Rule, than Ontario, is bi-racial, and on that account underwent in 1840 compulsory amalgamation with her wholly British neighbour, just as Ireland, originally bi-racial, was forcibly amalgamated with Great Britain in 1800. The Canadian partners agreed to break this bond, to fashion a better one on the Federal principle, in the manner vaguely adumbrated by advocates of the "Federal" principle for Irish Home Rule, and, as regards their relations with the Mother Country, to pool their interests and accept representation by the Dominion alone.

Quebec Home Rule or Dominion Home Rule? Needless to say, these are only broad types chosen expressly to illustrate two possible types of relation between Ireland and Great Britain, which I shall henceforth refer to as "Federal" and "Colonial." There is no reason why we should not profit in other respects by both examples, nor is there any possibility of copying either faithfully.

Both types fulfil the fundamental condition laid down at the beginning of our discussion—both, that is to say, are consistent with responsible government in Ireland. Quebec, in its inner working, is a microcosm of the Dominion, and the Dominion system of responsible government is almost an exact copy of the unwritten British Constitution. In Quebec (as in all the Provinces and States of Canada and Australia) there is a

Cabinet, headed by a Prime Minister, composed of Members of the Legislature, and responsible at once to that Legislature and to the Lieutenant-Governor as representing the Crown. Ireland, under a similar system (and, *a fortiori*, if she were put in the position of the Dominion), would have a Cabinet responsible at once to the Irish Legislature and to the Lord-Lieutenant representing the Crown. The parallel is more apposite in the case of the Province of Quebec than in the case of an Australian State, because, as I noted above, the provincial Lieutenant-Governor is actually appointed by the Dominion Government, and is in his turn responsible in the first instance to that Government, just as the Irish Governor, or Lord-Lieutenant, who, under Home Rule, will for the first time justify his existence, is, and will still be, appointed by the British Government.

But with the possibility of responsible government granted, it must be confessed that the arguments against "Quebec Home Rule" as a measure of practical politics at the present moment, are insuperable. In the first place there is no question in the coming Bill of federalizing the United Kingdom on the lines of the Dominion of Canada—that is, of constructing a new Federal Parliament elected by the whole realm, together with new local Legislatures elected by the various fractions of the realm. Scottish and Welsh Home Rule are in the air, but they are not practical issues. English Home Rule is not even in the air. I mean that Englishmen, whatever their views on the congestion of Parliamentary business owing to the pressure of Irish, Welsh, and Scottish affairs, have not seriously considered the idea of a subordinate Legislature exclusively English, which would be just as essential a feature of a completely federalized kingdom as subordinate Legislatures exclusively Irish, Scottish, and Welsh.

Not that it is essential to the federalization of the United Kingdom that Ireland, Scotland, England, and Wales, should all have separate Legislature. Any one of these fractions could coalesce with another or others in a joint Legislature. It would be technically possible, though highly unreasonable, to go to the extreme of giving Great Britain, regarded as one Province, a separate Legislature; Ireland, regarded as another Province, a separate Legislature; and, above these two sub-

ordinate bodies, a new Imperial Parliament representing the whole realm. Such a dual Federation was nearly coming about in Canada, when Ontario and Quebec dissolved their Union and resolved to federate. It became a quadruple Federation, owing to the adhesion of Nova Scotia and New Brunswick; but in a dual form it would have worked just as well. It is scarcely necessary to say that the disparity in population, resources, and power between Ireland and Great Britain render a dual Federation, which, of course, involves three Legislatures, chimerical. What I want to insist on is that, whatever subdivisions are adopted, it is absolutely essential to every Federation that there should be a division of powers between a central and at least two local Legislatures —three altogether. That is the minimum. Other things are also essential, but for the moment we can confine ourselves to the outstanding requirement. Now, there is no question in the coming Bill of any such Federation. Later years may see such a development, whether from pressure of work on the Imperial Parliament or from irresistible demand for Home Rule from Scotland or Wales, or both, but not next year. The Bill will contemplate two Parliaments, not three, namely, the existing Imperial Parliament and the Irish Legislature. There is, therefore, no question of Federal Home Rule, and the term "Federal," as applied to Irish Home Rule at the present time, is meaningless.

Nor can the coming Bill for Ireland make any preparation, technically, for a general Federation. Morally, as I shall show, it might have an important effect in stimulating local sentiment, not only in England, Scotland, and Wales, but in Ireland, towards a general Federation in the future, but in its mechanical structure it must be not merely non-Federal, but anti-Federal. One often hears it carelessly propounded that Irish Home Rule, so devised as to be applicable in later years, if they so desire, to Scotland, Wales, and England, will give us by smooth mechanical means a General Federation. This is a fallacy. At one stage or another, the earliest or the latest, we should have to create a totally new central Parliament, still elected by the whole people, but exclusively devoted to Imperial affairs, and wholly exempt from local business, before [illegible] possessed anything in the nature of a Federation. But,

whatever the future has in store, it would be a scandal if Irish Home Rule were to be hampered or delayed by the existence of Scotch or Welsh claims, and it is earnestly to be hoped that no action of that kind will be taken. The case of Ireland is centuries old, and more urgent than ever. It differs radically from any case that can possibly be made for Scotland and Wales.

The Bill, I repeat, must be anti-Federal, centrifugal. In the case of Ireland we have first to dissolve an unnatural union, and then to revive an old right to autonomy, before we can reach a healthy Federal Union. Such, exactly, was the history of Canada. If, in that case, the dissolution of the Legislative Union and the construction of the Federal Union were consummated simultaneously in the British North America Act of 1867, they were nevertheless two distinct phases, and of these two phases the first, implying the revival of the old separate autonomies, was the indispensable precursor of Federal Union. This antecedent recognition of autonomy was not peculiar to Canada. Every Federation in the world arose in the same way, by the voluntary act of States under one Crown or suzerainty, but independent of one another, and it is of the essence of Federalism that this psychological condition should exist. Compulsory Federation would not last a year. It would indeed be practicable to federalize the United Kingdom by one Legislative Act, but the prior right to and fitness for complete Home Rule on the part of each of the component parts would have to be implicitly recognized.

It needs only a moment's consideration of Anglo-Irish history to see the special applicability of the psychological rule to Ireland. The evils of the Canadian Union, during the twenty-seven years of its duration, are infinitesimal beside the mischief, moral and material, which have been caused to both partners by the forcible amalgamation of Great Britain and Ireland; the waste of indigenous talent, industrial and political; the dispersion all over the globe of Irishmen; the conversion of friends into enemies, of peaceable citizens into plotters of treason, of farmers into criminals, of poets and statesmen into gaolbirds; the check to the production of wealth and Anglo-Irish commerce; the dislocation and demoralization of Parliamentary life; and, saddest results of all, the reac-

tionary effect upon British statesmanship, domestic and Imperial, and the deterioration of Irish character within Ireland. The voluntary principle—at any rate, among the English-speaking races—is as essential to a true Union, like that of the South African Colonies or that of Scotland and England, as to a Federation. It is a sheer impossibility to create a perfect, mechanical Union on a basis of hatred and coercion; witness the strangely anomalous colonial features surviving in Irish Government—the Lord-Lieutenancy, the separate administration, and the standing army of police.

Persons inclined to reckon the advantages, whether of Federation or of Union, in pounds, shillings, and pence, may regard the psychological requirement as fanciful. It is not fanciful; on the contrary, it is related in the clearest way to the concrete facts of the situation. Before there is any question of Federation Ireland needs to find herself, to test her own potentialities, to prove independence of character, thought, and action, and to discover what she can do by her own unaided will with her own resources. As I endeavoured to show in the last chapter, these are the true reasons for Home Rule.

Home Rule is neither a luxury nor a plaything, but a tremendously exacting duty which must be undertaken by every country conscious of repression and valuing its self-respect, and which Ireland is praying to be allowed to undertake. When a people has learnt to understand the extent of its own powers and limitations, then it can safely and honourably co-operate on a Federal basis with other peoples, and, in the interests of efficiency and economy, can delegate to a central Government, partly of its own choice, functions hitherto locally exercised. Once more, that is the origin of all true Federations, British and foreign, in all parts of the world.

If, then, the Home Rule Bill cannot in legal form be a federating or unifying measure, it must be one of a precisely opposite character, and a measure of devolution. It is a proof of the need for a scientific nomenclature that the word "devolution" has to Irish ears come to mean something similar in kind to "Federal" Home Rule, but less in degree, and something different in kind from "Colonial" Home Rule, and infinitely less in degree. What a tangle of truth and

fallacy from the misuse of a single word! It is associated rightly with the ill-starred Irish Council Bill of 1907, and it has been universally but wrongly used to indicate a small measure of local government in contradistinction to the Home Rule Bills of Mr. Gladstone and, *a fortiori*, to any more liberal schemes.

Nevertheless, the problem before us is one of devolution pure and simple, and the question is, how far is devolution to go? It may go to the full length of Colonial Home Rule, that is, Ireland may be vested with the full freedom now enjoyed by a self-governing Colony (for the grants of Colonial Home Rule were measures of devolution), or it might at the other extreme take the form of a petty municipal government. By hypothesis, however, we are precluded from considering any scheme which does not admit of responsible government in Ireland. That condition commits us to something in the nature of "Colonial" Home Rule, now enjoyed by States widely varying in size, wealth, and population, from the Dominion of Canada, with over seven million inhabitants, to Newfoundland, with under a quarter of a million inhabitants and very slender resources. It is worth notice also (to shift our analogy for the moment) that little Newfoundland, which, owing to divergency of interest, has declined both federation with the Dominion and union with any of the constituent parts of the Dominion, subsists happily and peacefully by the side of her powerful neighbour; and that New Zealand, for the same reason, prefers to occupy the same independent position by the side of Australia.

III.

The Exclusion or Retention of Irish Members at Westminster.*

We have discarded the "Federal" solution as wholly impracticable, and have arrived at the "Colonial" solution. And at this point I feel it necessary to plead for the reader's patient, if reluctant, attention to what follows. The solution I suggest is unpopular, mainly, I believe, because prejudice has so beclouded the issue in the past, and because for the

* In writing upon this subject, I am indebted to an able paper by Mr. Basil Williams, which is to be found in "Home Rule Problems."

eighteen years since the last Home Rule Bill, while prejudice has diminished, the subject of Irish Home Rule has ceased to be studied with scientific care.

Where is the crux of the problem? In what provision of the coming Bill will the difference between Federal Home Rule and Colonial Home Rule arise? The answer is clear: in the retention or exclusion of Irish Members at Westminster. No Colony has representatives at Westminster. The Federal solution, on the other hand, whether it be applied to the whole Empire or to the United Kingdom alone, involves an exclusively Federal Parliament unconcerned with State or provincial affairs. That we have not got. What we have got is an absolutely supreme and sovereign Parliament which has legal authority, not only over all Imperial affairs within and without the United Kingdom, but over the minutest local affairs. Unrepresented though the Colonies are, they can legally be taxed, coerced, enslaved at any moment by an Act passed by a party majority in this Parliament. Such measures, though legal, would be unconstitutional; but, both by law and custom, and in actual daily practice, Parliament passes and enforces certain Acts affecting the self-governing Colonies, and wields potential and actual authority of all-embracing extent over the Empire and over the local affairs of the United Kingdom.

When we set up an Irish Legislature, then, we have to contemplate four different classes of affairs in a descending scale: (1) Affairs of common interest to the whole Empire; (2) affairs of exclusive interest to the United Kingdom; (3) affairs exclusively British; (4) affairs exclusively Irish.

With regard to (1), the prospects of Imperial Federation do not affect the Irish issue. It is no doubt illogical and sometimes highly inconvenient that the British Cabinet and Parliament, representing British and Irish electors only, should decide matters which deeply concern the whole Empire, including the self-governing Colonies, but it is the fact. In the meantime we are securing very effective consultation with the self-governing Colonies by the method of Imperial Conference. A Federal Parliament for the whole Empire is a possible though a remote alternative to that system. Colonial representation in the present Imperial Parliament is an alto-

gether impracticable alternative. The suggestion had often been made for the American Colonies at the height of their discontent, later for Canada as an alternative to the Act of 1791, and in recent times also. The same fallacious idea underlay the Union of Ireland with Great Britain and her representation in Parliament, while retaining colonial institutions. At present the prospects of Imperial Federation seem to be indifferent. On the other hand, the affection between all branches of our race which is the indispensable groundwork of Federation becomes visibly stronger, and will become stronger, provided that we do not revert to the ancient and discredited policy either of dictating to the Colonies or taking sides with one or another of the parties within them, provided also that the Colonies in their growing strength do not dictate to us or take sides with one or other of our parties.

But, whatever the prospects of Imperial Federation, so long as the present situation lasts, there is no reason for giving a self-governing Ireland more control over Imperial matters affecting the self-governing Colonies than the self-governing Colonies themselves possess. The present position is illogical enough; that would be to render it doubly illogical. Representation of Ireland, therefore, at Westminster, on the ground that she should take part in settling matters of the widest Imperial purport, is indefensible. The alternative and much more effectual method, as with the Colonies, is Conference.

(2-4) But it is when we come to regard the United Kingdom as a self-contained entity that the difficulty of retaining Irish Members at Westminster appears most formidable. If we discard the Federal solution we must discard it wholeheartedly, not from a pedantic love of logic, but to avoid real, practical anomalies which might cause the whole political machine to work even worse than it does at present. From what I have written, it will be seen at once that to retain the Irish Members in the House of Commons, while giving Ireland responsible government, would be to set up a kind of hybrid system, retaining the disadvantages of the Union without gaining the advantages of Federalism. A Federal system needs a Federal Parliament, which we have not got, and shall not get for a long time yet. To introduce into it a quasi-Federal element is to mix oil with water.

I state the proposition in this broad way at first in order to push home the truth that Irish representation at Westminster will involve anomalies and dangers which, beyond a certain very limited point, cannot be mitigated. Methods of mitigation I will deal with in a moment. Let me remark first upon the strange history of this question of Irish representation at Westminster. Obviously it is the most fundamental question of all in the matter of Home Rule. The whole structure of the Bill hangs on it. It affects every provision, and particularly the financial provisions. Yet Mr. Gladstone went no farther than to call it an "organic detail," and in popular controversy it is still generally regarded in that light, or even in a less serious light. As a matter of history, however, it has proved to be a factor of importance in deciding the fate of the Home Rule Bills. In 1886 Mr. Gladstone, in proposing to exclude Irish Members altogether, roused a storm of purely sentimental opposition. In 1893, in proposing to retain them—first with limited functions, then on the old terms of complete equality with British Members—he met with opposition even more formidable, because it was not merely sentimental, but unanswerably practical. On both occasions Mr. Chamberlain took a prominent part in the opposition: in 1886 because he was then a Federalist, advocating "Quebec" Home Rule for Ireland, and regarding the exclusion of Irish Members from Westminster as contravening the Federal principle; in 1893 because, having ceased to be a Home Ruler, he had no difficulty in showing that the retention of Irish Members, either with full or limited functions, was neither Federation nor Union, but an unworkable mixture of the two.

These facts should be a warning to those who trifle thoughtlessly with what they call "Federal" Home Rule. It was through a desperate desire to conciliate that Mr. Gladstone caught at the Federal chimera in 1893, and produced a scheme which he himself could not defend. And it was one of the very statesmen that he sought to conciliate—a statesman, moreover, possessing one of the keenest and strongest intellects of the time—who snatched at the chimera in 1886, and argued it out of existence in 1893. We Home Rulers do not want a repetition of those events. We want Home Rule, and if we are to be defeated, let us be defeated on a simple

straightforward issue, not on an indefensible complication of our own devising.

Now to details. There are five ways of dealing with the question, and of these I will take first the four different ways of including Irish Members in the House of Commons, leaving their total *exclusion* to the last.

1. Inclusion of Irish Members in their full numbers for all purposes—that is, with a right to vote upon all questions—British, Irish, and Imperial. [By "full numbers" I mean, not the existing figure of 103, but numbers fully, and no more than fully, warrantable according to the latest figures of population—say 70.]

2. Inclusion in full numbers for limited purposes.

3. Inclusion in reduced numbers for all purposes. [By "reduced numbers" I mean in numbers less than population would warrant.]

4. Inclusion in reduced numbers for limited purposes.

Now (4) I only set out for symmetry. It has never been proposed by anybody, and hardly needs notice.

The three others are alike in two respects—that they leave untouched the question of representation in the House of Lords, and that they directly infringe both the Federal principle and the Union principle by giving representation, both in a unitary and a subordinate Legislature, to one portion of the realm.

Let us look at No. 1—inclusion in full numbers for all purposes. This was Mr. Gladstone's revised proposal of 1893, and it formed part of the Bill thrown out by the Lords. The number of Irish Members was to have been 80. But reduction, as Mr. Gladstone admitted, would scarcely affect the inherent difficulties of inclusion. Nor must it be forgotten that reduction from 103 to 70 can be justified only by the concession of a large measure of Home Rule. It is one of the paradoxes of an unnatural Union that, over-represented as Ireland is, she has not now power enough to secure her own will. To reduce her numbers, while retaining large powers over Irish affairs at Westminster, would be unjust. For the time being I shall defer the consideration of those powers, and argue the matter on broad principle, assuming that the powers retained in Imperial hands are small enough to warrant a reduction from 103 to 70.

Now let us apply our touchstone to this question of inclusion in "full" numbers. Will it be good for Ireland? Surely not.

(*a*) It will be bad for Ireland, in the first place, to have her energies weakened at the outset by having to find two complete sets of representatives, when she will be in urgent need of all her best men to do her own work. There is no analogy with Quebec, Victoria, Massachusetts, or Würtemburg, which had all been accustomed to self-government before they entered their respective Federations. Ireland has to find her best men, create her domestic policies, reconstruct her administration, and the larger the reservoir of talent she has to draw from the better. When true Federation becomes practical politics it will be another matter. By that time she will have men to spare.

(*b*) More serious objection still, retention in full numbers will, it is to be feared, tend to counteract the benefits of Home Rule in Ireland by keeping alive old dissensions and bad political habits. If, after long and hot controversy, a system is set up under which Great Britain can still be regarded as a pacificator —half umpire and half policeman—of what Peel called the "warring sects" of Ireland, it is to be feared that the Members sent to London may fall into the old unnatural party divisions; a Protestant minority seeking to revoke or curtail Home Rule, and a Nationalist majority—paradoxical survival of a pre national period—seeking to maintain or enlarge Home Rule. These unhappy results would react in their turn upon the Irish Legislature, impairing the value of Home Rule, and making Ireland, as of old, the cockpit of sectarian and sentimental politics. The same results would have happened if, simultaneously with the concession of Home Rule to Canada, Australia and South Africa, these Colonies had been given representation in the British Parliament.

(*c*) Whatever the extent of the danger I have indicated, inclusion in full numbers will tend to keep alive the habit of dependence on Great Britain for financial aid, a habit so ingrained, through no fault of Ireland's, that it will be difficult to break if the Parliamentary leverage is left intact. If ever there was a country which needed, as far as humanly possible, to be thrown for a time—not necessarily for a long time—upon its own resources, it is Ireland. Every other self-

governing Colony in the Empire has gone through that bracing and purifying ordeal, accepting from the Mother Country, without repayment, only the loan of military and naval defence, and Ireland can imitate them without dishonour.

What is bad for Ireland is sure to be bad for Great Britain, too, and the bad effect in this case is sufficiently apparent. Imagine the result if Quebec, besides having her own Legislature and her own representatives in the Dominion Parliament, were to be represented also in the Ontario Legislature. Ireland, besides controlling her own affairs, free from British interference, would have a voice in British affairs, and sometimes a deciding voice. "If you keep the Irish in," said Mr. John Morley in 1886—and he meant in their full numbers—"they will be what they have ever been in the past—the arbitrators and masters of English policy, of English legislative business, and of the rise and fall of British administrations." That is a rather exaggerated account of the past, for had it been literally true Ireland would have had Home Rule long ago; and it was unduly pessimistic about the future, for it hardly made sufficient allowance for a change in Irish spirit as a result of Home Rule; but there is a truth in the words which everybody recognizes and whose recognition is one of the great motive forces behind Home Rule. Even a total change in Irish sentiments and parties would not remove the danger, and might intensify it by producing at Westminster a solid instead of, as at present, a divided, Irish vote. It would be truer, perhaps, to say what I said above, that retention of Members would tend to stereotype Irish parties and the mutual antipathy of Ireland and Great Britain.

2. Inclusion in full numbers (say 70) for limited purposes. This (with the figure of 80) was Mr. Gladstone's original proposal of 1893, and it took the form of a clause known as the "In and Out Clause," which purported to divide all Parliamentary business into Imperial, Irish, and non-Irish business, and to give Irish Members the right to vote only on Imperial and Irish subjects. Mr. Gladstone never disguised his view that a sound classification was impracticable, and put forward the clause, frankly, as a tentative scheme for the discussion of the House. Like its successor, the "Omnes omnia" Clause, it was riddled with criticism, and it

was eventually withdrawn. Without investigating details, the reader will perceive at once the hopeless confusion arising from an attempt to inject a tincture of Federalism into a unitary Parliament, forming part of an unwritten Constitution of great age and infinite delicacy. It is not merely that it is absolutely impossible to distinguish rigidly between Imperial, Irish, and British business. The great objection is that there would be two alternating majorities in an Assembly which is, and must be, absolutely governed by a party majority, and which, through that majority, controls the Executive. It "passed the wit of man," said Mr. Gladstone, to separate in practice the Legislative and Executive functions in the British Constitution. At present a hostile vote in the House of Commons overturns the Ministry of the day and changes the whole British and Imperial administration. A hostile vote, therefore, determined by the Irish Members, on a question affecting Ireland, such as the application to Ireland of a British Bill, would seriously embarrass the Ministry, if it did not overturn it. The log-rolling and illicit pressure which this state of things would encourage may be easily imagined. A Ministry might find itself after a General Election in the position of having a majority for some purposes and not for others. That was actually the case in 1893, when Mr. Gladstone, with a majority, including the Irish Nationalists, of only 40, was carrying his Bill through Parliament. It is actually the case now, in the sense that if the Irish Nationalists voted with the Opposition, the Ministry would be defeated. Any change for the better in Irish sentiment towards Great Britain would *pro tanto* mitigate the difficulty, but would not remove it, and might, as I suggested above, increase it, by the creation of a solid Irish vote. If Great Britain resents the present system, she alone is to blame. As long as she insists on keeping the Irish Members out of Ireland, where they ought to be, she thoroughly deserves their tyranny, and would be wise to get rid of it by the means they suggest. Until they are given Home Rule, they are not only justified in using their power, but are bound, in duty and honour, to use it. To reproduce in the Home Rule Bill, albeit in a modified form, conditions which might lead to the same results as before would surely be a gratuitous act of unwisdom.

3. Inclusion in reduced numbers for all purposes. By "reduced numbers" is meant numbers less than the population of Ireland warrants. For the sake of argument we may assume the number to be 35, that is, approximately half the proper proportion; but directly we desert a scientific principle of allocation, the exact figure we adopt is a matter of arbitrary choice.

Mr. Gladstone appears to have contemplated this plan for a brief period in 1889; but he dropped it. Clearly it cannot be defended on any logical grounds, but only as a compromise designed, as it avowedly was, to conciliate British opinion. It would minimize but not remove the difficulties inherent in No. 1; and so far as it did lessen these difficulties, the representation given would be impotent and superfluous. That is why I have taken it last in order of the three possible methods of inclusion. It raises in the sharpest and clearest form the important question underlying the whole of the discussion we have just been through—namely, what are to be the powers delegated to the Irish Parliament and Executive, and what are to be the powers reserved to the Imperial Parliament and Executive?

If the powers reserved are small, it will be possible to justify not merely a small Irish representation in the House of Commons, but even under certain conditions the total exclusion of Irish members. Indeed, if the figure 35 corresponded to the facts of the case, one might as well abandon these painful efforts to "conciliate British opinion," accept total exclusion, and substitute Conference for representation. If the powers reserved are large, full representation in spite of all the crushing objections to it, will be absolutely necessary, in order to safeguard Irish interests. Here is the grand dilemma, and it says little for our common sense as a nation that we should submit to be puzzled and worried by it any longer. Half the worry arises from the old and infinitely pernicious habit of regarding Ireland as outside the pale of political science, of ignoring in her case what Lord Morley has called the "fundamental probabilities of civil society." Let us break this habit once and for all and take the logical and politic course of total exclusion, with its logical and politic accompaniment, a measure of Home Rule wide enough to justify the

absence of Irish representation at Westminster. That will be found to be the path both of duty and of safety.

Let it be clearly understood that lapse of time has not diminished appreciably the power of the arguments against the inclusion of Irish Members in the House of Commons. On their merits, these arguments are still unanswerable, and we had better recognize the fact. Mr. Balfour said, in 1893, "Those questions" (of representation at Westminster) "are not capable of solution, and the very fact that they are incapable of solution affords, in our opinion, a conclusive argument against the whole scheme, of which one or other of the plans in question must form a part." Speaking as a Unionist, Mr. Balfour was right, and, as Home Rulers, we should be wise to remember it.

Lastly, even if the question of inclusion in the House of Commons were "capable of solution," as it is not, there would remain the problem raised by the House of Lords. It is idle to ignore the fact that the bulk of the Irish peerage, and the Assembly of which it forms part, has been for a century in consistent and resolute opposition to the views of the vast majority of Irishmen. The recent curtailment of its powers, whether a right or a wrong measure in itself, does not make it any the more suitable as an Upper Chamber, under a Home Rule scheme, for the decision of important Irish questions reserved for settlement at Westminster; indeed, the bare proposal is the best imaginable example of the extraordinary complications which would ensue from the introduction of a quasi-Federal element into a unitary Constitution.

Federal Upper Chambers, so far from being hostile to State rights, are almost invariably framed on the principle of giving disproportionately large representation to the smaller States. In the United States and Australia, for example, every State, however small, has an equal number of Senators.

It will be clear now that there are two distinct ways of approaching the question of the framework of Home Rule. One may begin with the nature and extent of the powers reserved or delegated, and proceed from them to the inclusion and exclusion of Irish representation at Westminster, or one may begin with the topic of inclusion or exclusion and proceed from it to the nature and extent of powers. While premising

that we must trust Ireland and evoke her sense of responsibility, I chose the latter of the two courses, because I believe it to be on the whole the most illuminating and trustworthy course. It is also the more logical course, though I should not have adopted it for that reason alone; and I have already given, I hope, some good reasons to show that in this matter logic and policy coincide. Englishmen pride themselves on the lack of logic which characterizes their slowly evolved institutions, but they may easily carry that pride to preposterous extremes. Faced now with the necessity of making a written Constitution which will stand the test of daily use they would commit the last of innumerable errors in Irish policy if, with full warning from experience elsewhere, they were to frame a measure whose unprecedented and unworkable provisions were the outcome of a distrust of Ireland which it was the ostensible object of the measure itself to remove.

IV.

Irish Powers and their Bearing on Exclusion.

I pass to what I suggest to be the right solution: Total exclusion, as proposed by Mr. Gladstone in 1886, though he shrank from recommending what he knew to be its financial corollary. Mr. Bright regarded exclusion as the "best clause" of a dangerous scheme, and Mr. Chamberlain has admitted that he attacked it, as he attacked the proposals for Land Purchase, which he knew to be right, in order to "kill the Bill."* I propose only to recapitulate the merits of exclusion before dealing with the alleged difficulties of that form of Home Rule, and in particular with the point on which the controversy mainly turns—Finance.

To give Ireland Colonial Home Rule, without representation in London, is to follow the natural channel of historical development. Ireland was virtually a Colony, and is treated still in many respects as an inferior type of Colony, in other respects as a partner in a vicious type of Union. We cannot improve the Union, and it is, admittedly, a failure. Let us, then, in

* "Life of Parnell," R. Barry O'Brien, pp. 149 and 139-141.

broad outline, model her political system on that of a self-governing Colony.

History apart, circumstances demand this solution. It is the best solution for Ireland, because she needs, precisely what the Colonies needed—full play for her native faculties, full responsibility for the adjustment of her internal dissensions, for the exploitation, unaided, of her own resources, and for the settlement of neglected problems peculiar to herself. As a member of the Imperial family she will gain, not lose. And the Empire, here as everywhere else, will gain, not lose.

These ends will be jeopardized if we continue to bind her to the British Parliament, and restrict her own autonomy accordingly. Reciprocally, we damage the British Parliament and gratuitously invite friction and deadlock in the administration either of British or of Imperial affairs, or both. Of the difficulties raised we can mitigate one only by bringing another into existence. Endeavouring to minimize them all by reducing the Irish representation to the lowest point, we either do a gross injustice to Ireland, by diminishing her control over interests vital to her, or, by conceding that control, remove the necessity for any representation at all. Most Irish Unionists would, I believe, prefer exclusion to retention. One gathers that from the debates of 1893, and the view is in accordance with the traditional Ulster spirit, and the spirit generally displayed by powerful minorities threatened with a Home Rule to which they object on principle. It was the spirit displayed by the Upper Canadian minority, in 1838-39 (*vide* p. 101), in threatening to leave the Empire rather than submit to Home Rule, and by the Transvaal minority in the lukewarm and divided support given to the half-baked Constitution of 1905, and in the hearty welcome given to the full autonomy of 1906. How the Colonists expressed themselves matters nothing. We must make generous allowance for hot party feeling and old prejudices. The Canadian minorities did not really mean to call in the United States, nor does it signify a particle that some of the Johannesburgers vowed that anything could be borne which freed them from the interference of a Liberal Government. These opinions are transient and negligible. The spirit is essentially healthy. Paradox as it may seem, the uncompromising attitude of Ulster Unionists, as

voiced by the ablest representative they ever had, Colonel Saunderson,* is hopeful for the prospects of Home Rule. They fight doggedly for the Union, but I believe they would prefer a real Home Rule to a half-measure, and in making that choice they would show their virility and courage at its true worth.

Where are the dangers and difficulties of exclusion? The dangers first. I believe, from a study of events in the last twenty-five years, that the strongest opposition to it was founded, not so much upon a reluctance to give Ireland powers full enough to render needless her representation at Westminster, but on a jealous desire to keep Irish Members under surveillance, as a dangerous and intractable body of men who would hatch mischief against the Empire if they were allowed to disappear from sight; the same kind of instinct which urged revolutionary Paris to stop the flight of Louis and to keep him under lock and key. In the case of Ireland it is possible to understand the prevalence of this instinct in 1886, though even then it was irrational enough. But in 1911 we should be ashamed to entertain it. Irish plots against the Empire have passed into electoral scares, and if they had not, representation in London would be no safeguard. We should also dismiss the more rational but groundless view that Imperial co-operation necessitates representation in a joint Assembly. Conference is a better method. Anyone who studies the proceedings of the last Imperial Conference and observes the number and variety of the subjects discussed and the numerous and valuable decisions arrived at, will realize how much can be done by mutual good-will and the pressure of mutual interest.†

It may be objected that, with one or two exceptions of quite recent date, the Colonies have contributed nothing to the upkeep of the Empire, except in the very indirect form of maintaining local military forces, that their present tendency

* *E.g.*, in 1893, on Clause I. of the Home Rule Bill (Hansard, p. 490): "The Irish minority were willing to be treated on the footing of a Colony, but they protested against a supremacy which would enable the honourable gentleman who formed the Irish Government to appeal to the Imperial Parliament for the assistance of the Army and Navy to compel the Irish minority to obey their behests."

† Cd. 5741, 1911. Some of the subjects discussed were Commercial Relations and Shipping, Navigation Law, Labour Exchanges, Uniformity in Copyright, etc., Emigration, Naturalization, Compensation for Accidents, etc.

—unquestionably a sound tendency—is to co-operate, not by way of direct money contribution to Imperial funds, but by the construction of local Navies out of their own money, and, in time of peace, under their own immediate control, and that Ireland cannot be allowed to follow their example. The objection has no point. Ireland, through no fault of her own, has reached a stage (if we are to trust the Treasury figures) where she no longer pays any cash contribution to Imperial expenses, nor is it possible to look back with any satisfaction upon the enormous total of her cash contributions in the past. They were not the voluntary offerings of a willing partner, but the product of a joint financial system which, like all consequences of a forced Union, was bad for Ireland. If we consider that a similar attempt to extort an Imperial contribution from the American States led to their secession; that the principle was definitely abandoned in the case of the later Colonies; that, on the contrary, large annual sums raised in these islands were, until quite recent times, spent for purposes of defence within these Colonies; that in the South African War two hundred and fifty million pounds were spent in order to assist British subjects in the Transvaal to obtain the rights of freemen in a self-governing Colony; and that to this day indirect colonial contributions in the shape of local expenditure are small in proportion to the immense benefit derived from the protection of the Imperial Navy, Army, and Diplomacy, and from the assistance of British credit; if we then reflect that before the Union Ireland was, in the matter of contribution, somewhat in the same position as Canada or Australia to-day—that is, paying no fixed cash tribute, but voluntarily assuming the burden, very heavy in time of war, of certain Army establishments; that for seventeen years after the Union contributions fixed on a scale grossly inequitable drove her into bankruptcy; that from 1819 until two years ago, she paid, by dint of excessive taxation and in spite of terrible economic depression, a considerable share, and sometimes more than her proportionate share, of Imperial expenditure;* if, finally, we remember that, cash payments apart, Irishmen for centuries past have taken an important part in manning the Army and Navy, have fought

* I am summarizing facts fully narrated in Chapters XI. and XII.

and died on innumerable battle-fields in the service of the Empire, and have contributed some of its ablest military leaders; if we consider all these facts soberly and reasonably, we shall, I believe, agree that it would be fair and right to place a Home Ruled Ireland in the position of a self-governing Colony, with a moral obligation to contribute, when her means permit, and in proportion to her means, but without a statutory and compulsory tribute.

What form should that contribution eventually take? Does it necessarily follow that Ireland should be given power to construct her own Navy, and raise and control her own troops? Let us use our common sense, and use it, let me add, fearlessly. If Ireland really *wanted* full colonial powers, if, like Australia and Canada, she would be discontented and resentful at their denial, we should be wise to grant them, and rely on common interests and affections to secure friendly co-operation. Does it not stand to reason that a friendly alliance even with a foreign power, such as France, to say nothing of the far more intimate relations with a consanguineous Colony, is better business than any arrangement for common forces unwillingly or resentfully acceded to? But, as I pointed out in Chapter VIII., all these uneasy speculations about independent Irish armaments are superfluous. Ireland does not want separate armaments. The sporadic attempts to discourage enlistment in the Imperial forces are, as every sensible person should recognize, the results of refusing Home Rule. They would have occurred in every Colony under similar circumstances, and they do occur in one degree or another wherever countries agitate vainly for Home Rule. If Russia misinterprets such phenomena, we have, let us hope, more political enlightenment than Russia.

Ireland's strategical situation bears no analogy to that of Australia and Canada, which, for geographical reasons, are compelled, as South Africa will be compelled, to make a certain amount of independent provision, not only for military, but for naval defence, and would be wanting in patriotic feeling if they did otherwise. New Zealand, on the other hand, is too small to be capable of creating a Navy, and rightly contributes to ours. We have arrived at an interesting psychological point when Australia and Canada both seem to be

inclined to reserve, in theory, a right to abstain from engaging their Navies in a war undertaken by Great Britain, but nobody will be alarmed by this theoretical reservation. It is an insignificant matter beside the Naval Agreement reached at the last Conference (1911)—an agreement worth more than volumes of unwritten statutes—to the effect that the personnel of the colonial fleets is to be interchangeable with that of the Imperial fleet and that in a joint war colonial ships are to form an integral part of the British fleet under the control of the Admiralty. With such an agreement in existence, it becomes superfluous to lay stress upon the fact that without formal and complete separation from the Mother Country in time of peace, the neutrality of a Colony would not be recognized by a belligerent enemy of Great Britain in time of war.

In any case these developments have no concern for Ireland, which does not want, and need not be given, power to raise a local Navy. Nor, with regard to the regular land forces, will anything be changed. Troops quartered in Ireland will be, as before, and as in the Colonies now, under complete Imperial control. So will Imperial camps, magazines, arsenals, dockyards. On the other hand, arrangements should certainly be made to permit the raising of Volunteer forces in Ireland. There are large numbers of Irishmen in the British Territorial Army, and Ireland sent five companies to the South African War. Though the poverty of the country will for a long time check the growth of Volunteer forces, it is the Union which presents the only serious obstacle to their establishment. No surer proof of the need for Home Rule could be adduced than the fact that it was held to be impossible to extend the Territorial system to Ireland. One of the objects of Home Rule is to remove this suspicious atmosphere. Whether local power to organize and arm Volunters in Ireland should be given to the Irish authority, or, as in the Home Rule Bills of 1886 and 1893, reserved to the Imperial Government, is, if we trust Ireland, as we must, a secondary and not a vital matter, which would not affect the question of representation at Westminster.* Probably it would be most convenient to

* In the Federal Constitutions of Australia and Canada the central Federal Parliament is responsible for the colonial defences, but the Provinces or States are, of course, represented in the Federal Parliament.

leave the matters in the hands of the Irish Legislature. In any case, the Command-in-Chief of all forces in Ireland, regular or volunteer, would, as in the Colonies,* be vested in the King.

The control of the Royal Irish Constabulary and Dublin Metropolitan Police does not affect the question of representation at Westminster. With or without representation, Ireland should be given the control of all her own police forces from the first, without the restrictions imposed by the Bills of 1886 and 1893 with regard to Imperial control of the existing forces.†

With the important exception of taxation, with which I shall deal last, no other power which should properly be reserved to the Imperial Parliament, or delegated to the Irish Parliament, has any appreciable bearing upon the exclusion of Irish Members from the House of Commons. Nor do any of them raise issues which are likely to be troublesome. Common sense and mutual convenience should decide them. The Army, Navy, and other military forces I have already dealt with. The Crown, the Lord-Lieutenant, War and Peace, Prize and Booty of War, Foreign Relations and Treaties (with the exception of commercial Treaties), Titles, Extradition, Neutrality,‡ and Treason, are subjects upon which the Colonies have no power to legislate or act, and of which it would be needless, strictly, to make any formal statutory exception in the case of Ireland, though the exception no doubt will be made in the Bill. Naturalization, Coinage, Copyright, Patents, Trademarks, are all matters in which the Colonies have local powers, whose existence, and the limitations attaching to them, are determined either solely by constitutional custom or with the addition of an implied or express statutory authority.§ The two former would, I should think, be wholly reserved to the Imperial Parliament.

* Commonwealth of Australia Constitution Act, 1900, Sec. 58, and British North America Act, 1867, Sec. 15. Until quite recently it was the custom always to give the command of the Canadian Militia to a British officer lent to Canada. The present Commander, however, is a Canadian.

† See Appendix.

‡ A Colony may make local regulations to carry out an Imperial Law about extradition and neutrality, but may not touch the law.

§ For the constitutional position of self-governing Colonies, the author owes much to Mr. Moore's "Commonwealth of Australia."

In the case of the latter three, which were wholly reserved in the Bill of 1886 and 1893, Ireland might be placed in the position of a self-governing Colony.*

In Trade and Navigation it would be wise to take the same course. The Home Rule Bill of 1886, without giving Ireland representation at Westminster, denied her all powers over Trade and Navigation. The Bill of 1893 gave her powers over Trade within Ireland and Inland Navigation, and these powers at any rate should be given in the coming Bill, together with the larger functions also; though Ireland would naturally leave in operation the great bulk of the statutes concerned, since they intimately affect the commercial and industrial relations of the two countries. For the rest, Ireland no more than the Colonies can be freed from a measure of Imperial control maintained by Acts like the Merchant Shipping Act of 1894.

The Postal Service in Ireland should, as in the Bill of 1886, come under Irish control.

In the Home Rule Bill of 1893 (Section 34) it was laid down that for three years the Irish Legislature should not "pass an Act respecting the relations of landlord or tenant, or the sale, purchase, or letting of land generally." Such

* The Commonwealth of Australia Constitution Act, 1900, and the British North America Act, 1867, in order to delimit the respective powers of the Federal and Provincial Legislatures, set out a list of subjects on which the Federal Parliament has exclusive or collateral power to legislate. There is implied, of course, a pre-existing right on the part of the Colony, as a whole, *qua* Colony, to legislate on the matters referred to in the list. But the pre-existing right is subject to any pre-existing constitutional or statutory limitations. *E.g.*, "Naturalization and Aliens" is in the list of Commonwealth powers (Sec. 51, xix.), and of the Canadian powers (Sec. 91, xxv.), but the power of any Colony is limited by Acts of 1847 and 1879 to giving naturalization within its own borders. (At the Imperial Conference of 1911 a scheme was foreshadowed for standardizing naturalization throughout the Empire.)

"Copyright" is also in both lists, but the colonial power is limited by the International Copyright Act of 1886, which, by Sec. 8, implies that a "British possession" may only make laws "respecting the Copyright within the limits of such possession of works produced in that possession." This Copyright Act is an example of implied limitation and sanction together. The Coinage Act of 1858 is an example of implied sanction only, in empowering a Colony to legislate as if the Act had not been passed. Another class of Imperial Acts confers *direct* powers to legislate on certain subjects—*e.g.*, the Australian Colonies Custom Duties Act of 1873 (removing the restrictions imposed upon intercolonial duties in 1850). The Naturalization Acts are partly of this character, and other examples are the Colonial Naval Defence Act of 1865, and certain provisions of the Army Act of 1881, and the Colonial Courts of Admiralty Act of 1890.

a provision repeated in the coming Bill would be inconsistent with the absence of Irish Members from Westminster. But I take it for granted that there is no question of its repetition. At first it might appear that Land Purchase should be distinguished from other branches of land legislation and reserved to the Imperial Government on the ground that it needs Imperial credit. I shall deal with this point fully in Chapter XIV., and only need here to express the view that Land Purchase cannot be separated from other branches of land legislation, or from the Congested Districts Board, or even from the control of the police, and that we are bound to give, and shall be acting wisely in giving, all these powers to the Irish Legislature from the first.

It is necessary perhaps to add that non-representation at Westminster does not in the smallest degree affect the complete legal supremacy of the Imperial Parliament over the subordinate Irish Legislature. This Legislature will in legal language be a "local and territorial" body, like those of the Colonies. It will be the creature of Parliament, and could be amended or even extinguished by it in a subsequent Act. The Bill of 1886 (perhaps because it never reached the Committee stage) said nothing explicit about the supremacy, though the Bill of 1893, while providing for representation at Westminster, repeatedly (and sometimes quite superfluously) affirmed it—in the Preamble, for example, and in a rider to Clause 2. The King's authority, through the Lord-Lieutenant, will be supreme in Ireland, as, through the Governors, it is supreme in the Colonies. Every Irish Bill, like every Colonial Bill, will require the Royal Assent, given through the Lord-Lieutenant, who will correspond to the Colonial Governors. The Lord-Lieutenant, like his colonial counterpart, will have to exercise both his Executive and Legislative functions in a double capacity: in the first instance by the advice of his Irish Cabinet, but subject to a veto by the British Cabinet. This dual capacity has belonged to all Colonial Governors ever since the principle of responsible government was established. As I showed in earlier chapters, it was regarded even by Lord John Russell as impossible and absurd as late as 1840; but it ought by now to be understood by every educated man, and we may hope to be spared the philosophical disquisitions and

hair-splitting criticisms which it evoked from men who should have known better in the Home Rule debates of 1893.

Laws framed at Westminster will be applicable to Ireland, as they are frequently made applicable to the Colonies.* Conversely, only through the express legislative authority of Westminster will an Irish, like a Colonial Act,† be held to operate outside the borders of Ireland.

Apart from the strict legal omnipotence of Imperial sovereignty, it is, of course, impossible to say now what the exact constitutional position of Ireland will be under any form of Home Rule. No Bill can state it fully in set terms. Time, custom, and judicial decisions will build up a body of doctrine. It is so with the Colonies, whose exact constitutional relations with the Mother Country are still a matter of juristic debate, and are only to be deduced from the study of an immense number of judicial decisions and of Imperial Acts passed subsequently to the grant of the original Constitutions. Some of these Acts I have already illustrated. The one Act of general application, namely, the Colonial Laws Validity Act, cannot be read without the rest, though in form it appears to contain a complete set of rules. While giving general power to a self-governing Colony "to make laws for the peace, welfare, and good government of the Colony" (words which will also necessarily appear in the Home Rule Bill), the Act makes void all colonial laws or parts of laws which are "repugnant to the provisions of any Act of Parliament extending to the Colony to which such law shall relate," and this provision will no doubt, be applied, *mutatis mutandis*, to Ireland, as it was in Section 32 of the Home Rule Bill of 1893. The Irish Legislature, that is, will be able "to repeal or alter any enactments in force in Ireland except such as either relate to matters beyond the power of the Irish Legislature, or, being enacted by Parliament after the passing of this Act, may be expressly extended to Ireland."

It will be noticed that the words "beyond the power of the Irish Legislature" referred to the subjects expressly excepted

* *E.g.*, Colonial Attorneys Relief Act, 1857; Colonial Probates Act, 1892; parts of the Finance Act, 1894; and Wills Act, 1861.

† *E.g.*, Colonial Laws made under sanction of the following Imperial Acts: Colonial Prisoners Removal, 1869; Merchant Shipping, 1894; Sections 478 and 786, Colonial Marriages, 1866.

in the Bill itself. This is one of the points in which the Irish Constitution will bear at any rate a superficial resemblance to that of a Province or State within a Federation rather than to that of a self-governing Colony. The practice of expressly, and in the text of a Constitution, forbidding a self-governing Colony to legislate upon certain subjects, or of expressly reserving concurrent or exclusive powers of legislation to the Mother Country, has fallen into disuse since the establishment of the principle of responsible government. Such restrictions were inserted in the Canadian Union Act of 1840, where the old right of the Mother Country to impose customs duties in the Colonies for the regulation of commerce was reaffirmed, and even in the Acts of 1855 for giving full powers of self-government to the Australian Colonies, which were forbidden to impose intercolonial customs, though they were expressly granted the power of imposing any other customs duties they pleased,* but they do not appear in modern Constitutions, for example in the Transvaal Constitution of 1906. As I have indicated, this implies no change in the strict legal theory of Colonial subordination to the Mother Country; for, although the tendency of modern juristic thought is to ascribe "plenary" power to a Colony, restrictions nevertheless do exist in practice, and are contained, express or implicit, in a number of disjointed Acts.

A Federating Colony, on the other hand, like a foreign Federation, has in its own self-made, domestic Constitution to apportion powers with some approach to precision between the federal and the provincial authorities, and in this respect the Irish Bill, in reserving certain powers to the Imperial Parliament, will resemble a federating Bill, and it should follow the American and Australian precedents in leaving residuary powers to the subordinate or Irish Legislature, not, in accordance with the Canadian precedent, to the Parliament at Westminster. That is an indispensable corollary of excluding Irish Members from Westminster

In speaking of powers reserved or delegated, and of residuary or unallocated powers, I have thus far referred only to powers which must be exercised, or at any rate may need to be exercised, if not by the subordinate legislature, then by the superior Parliament. Those restrictions on the Irish Legislature which

* *E.g.*, 18 Vict. Ch. 55, Sections 42 and 43.

are imposed in order to protect the religious or economic interests of a minority within the State, or as a recognition that there are certain kinds of laws which it is morally wrong to pass, fall into an altogether different category. By implication they morally bind the superior Parliament too, and are irrelevant, therefore, to the question of representation. They will be necessary, no doubt, in the coming Irish Bill, though they need not be so extensive as those which are to be found in Clause 4 of the Bill of 1893, some of which are borrowed from the famous anti-slavery amendments of 1865-1869 to the Constitution of the United States.* In inserting them we shall again be following the "Federal" rather than the "Colonial" model. No such restrictions have been imposed by the Mother Country upon any self-governing Colony. The nearest approach, perhaps, to such a tendency was the provision in the Transvaal Constitution of 1906 (Section 39), that "any law whereby persons not of European birth or descent may be subjected or made liable to any disabilities or restrictions to which persons of European birth or descent are not also subjected or made liable" should be specially "reserved"—that is, sent home by the Governor—for the signification of the Royal pleasure; but no similar provision appeared in the Act of 1909 for constituting the South African Union. In Federal systems, on the other hand, such restrictions, taking the form of self-denying ordinances, are common, whether appearing in the Federal Constitution itself or in the subordinate State Constitutions. The Constitution of the United States, for example, in addition to the anti-slavery provisions noted above, enacts that the National Government cannot (by Amendment I.) establish any religion or prohibit its free exercise, or (by Amendment V.) take private property for public use without just compensation, or (by Article 1, § 9) grant a title of nobility. Neither (by Amendment XIV. and Article 1, § 10 respectively) can a State do these things. By Article 1, § 10, a State cannot pass a law impairing the obligation of a contract. Exactly similar restrictions appear in many of the individual State Constitutions. Others forbid the establishment of any church or sect; the introduction of armed

* See Appendix, under the head of restrictions on "Irish Matters." For convenience, land legislation is included in the list, though it clearly belongs to a different category, and I have so dealt with it above.

men " for the suppression of domestic violence " ; " perpetuities or monopolies," and a variety of other things. Analogous provisions are to be found in the British North America Act, 1867 (constituting the Dominion of Canada), where the provincial Legislatures are forbidden to interfere with certain rights and privileges of religious bodies in the matter of education. There are no limitations of the kind in the Australian Commonwealth Act of 1900. Australia, no doubt, correctly represents the tendency of modern thought on this matter. Some of the American safeguards have produced great inconvenience. Nor can it be denied that the most elaborately contrived legal safeguards are of less value than the moral safeguard afforded by the sense of honour, justice, and prudence in the community. The existence of these qualities in Ireland, as in other white countries, is the true foundation of Home Rule. Some day Irishmen will ask, as a united country, for the repeal of these statutory safeguards.

That brings me to the penultimate point of importance, which may be held to affect the inclusion or exclusion of Irish Members at Westminster—I mean the question of future constitutional amendment. Here the colonial analogies are a little complicated. Since the Australian Colonies Act of 1850, in the new grant of a Constitution to a self-governing Colony, power has invariably been given to amend its own Constitution, without, of course, detracting from any powers specified in it for preserving the sovereignty of the Mother Country. Canada, when federating in 1867, took the somewhat singular course of making no provision in her Federal Constitution for its subsequent amendment, though, by Section 92 of the British North America Act, she gave her Provinces the exclusive right to amend their own Constitutions, a right which three of them have used to abolish their Upper Chambers. The Dominion Constitution, then, cannot be amended otherwise than by an Imperial Act. Such amending Acts are promoted by the Dominion Government without any specially devised machinery for ascertaining the public opinion of Canadians. Australia, on the other hand, when federating in 1900, made elaborate arrangements, which have been put several times into operation, for the amendment of the Federal Constitution by the Australian people itself, without an Im-

perial Act. Now, it will follow as a matter of course that Ireland will be given powers, as in both the previous Bills,* to amend her own Constitution within certain defined limits, after a certain lapse of time, and without encroaching upon Imperial authority. For my part I would strongly urge that the powers now to be conferred should be much wider; for I believe that Ireland alone can make a really perfect Constitution for herself. But, that point apart, the question arises of the further amendment, outside such permissive powers, of the Home Rule Act itself, which will, of course, contain within its four corners the whole of the Irish Constitution, so far as it can be written down. No special arrangements were made for such a contingency in the Bill of 1893, presumably because Ireland was to be represented at Westminster and would have a share in the making of any amending act. In the Bill of 1886, which excluded the Irish Members, Mr. Gladstone proposed (in Clause 39) that no alteration of the Act should be made (apart, of course, from points left for Irish alteration) except (1) by an Imperial Act formally assented to by the Irish Legislature, or (2) by an Imperial Act for the passing of which a stated number of Members of both branches of the Irish Legislature should be summoned to sit at Westminster.

It will be clear, I think, now, in 1911, that this latter proposal is not worth revival. No substantial amendment of the Act should properly be made without the formal consent of the Irish Legislature, representing Irish public opinion, and the prior consultation with the Irish Cabinet which such consent would imply. If the lamentable necessity ever arose of amending the Act against the wishes of Ireland, the sudden invasion of Westminster by a body of angry Irish Members, too small to affect the result (for otherwise the attempt to amend would not be made) and large enough to revive the old political dislocation and passion, would not simplify the process of amendment or be of value to anybody concerned. The proposal was probably only suggested by a vague leaning towards the Federal principle, which, in the present case, we should certainly reject. It serves indeed as one more illustra-

* In the Bill of 1886 (Clause 11, Subsec. 7) and in the Bill of 1893 (Clause 8, Subsec. 3) power was given to alter the qualifications of the franchise, etc., for the Lower House—in the former Bill after the first dissolution, in the latter after six years.

tion of the anomalies which might result from the inclusion of Irish Members at Westminster. No more unhealthy position could be imagined than one which would render it possible for an amendment of the Home Rule Act, whether in the direction of greater latitude or of stricter limitation, to depend solely upon the Irish vote in an Assembly predominately non-Irish. That is not to the discredit of Ireland. The system would be just as indefensible, whatever the subordinate State concerned. It would be Federalism run mad, and would make Alexander Hamilton turn in his grave. It is worth while to note that, even under a sane and normal Federal system, the Irish Constitution would be less easily alterable in either direction than under the plan of treating her as a self-governing Colony. In the latter case action is direct and simple, while most Federal Constitutions are extraordinarily difficult to amend. The Dominion of Canada is only an apparent exception.

I turn lastly to Finance, the point which most closely affects representation at Westminster, and which distinguishes any form of quasi-Federal Home Rule most sharply from its alternative, "Colonial" Home Rule.

All Federal systems necessarily involve a certain amount of joint finance between the superior and the inferior Government. The distribution of financial powers varies widely in different Federations, but all have this feature in common—that the central or superior Government controls Customs and Excise, and is to a large degree financed by means of the revenue derived from those sources. The United States Government, as distinguished from that of the individual States, pays in this way for almost its entire expenditure.* So does the Dominion of Canada ;† while in the Australian Commonwealth the receipts from Customs and Excise alone more than cover the whole Commonwealth expenditure.‡

* In 1910, of the total Federal revenue of 675,511,715 dollars, 623,616,963 dollars were raised in this way, or twelve-thirteenths. (Postal revenue, which balances Postal receipts, is excluded.)

† In 1909-10 Dominion revenue from Customs and Excise was 75,409,487 dollars. Total ordinary expenditure (excluding capital accounts), 79,411,747 dollars.

‡ Estimate for 1910-11. Total Federal revenue, £16,841,629; revenue from Customs and Excise, £11,700,000. Total Federal expenditure, £11,122,297. £5,267,500 will be available for return to the State exchequers (see pp. 245-246).

Finance makes or mars Federations. Some Federations or organic Unions of independent States have come into being through a strong desire in the separate States to have, among other things, a common system of Customs, and in the case of the German Empire and the South African Union a Customs Union or *Zollverein* has preceded Federation. These phenomena are the most marked illustration of the general truth that a common desire to federate, or unite, on the part of individual States is a condition precedent to a sound Federation or Union. On the other hand, finance, especially the question of joint Customs, has sometimes presented obstacles to a Federation which, on other grounds, was earnestly desired. The long delay in achieving the Australian Federation was largely due to the desire of New South Wales to maintain her Free Trade system, while the financial arrangements generally caused most of the practical difficulties met with in arranging the Federation both of Canada and Australia, and in their subsequent domestic relations. Nova Scotia in the former case, and Western Australia in the latter, held out to the last instant, and the former subsequently had to receive exceptionally favourable treatment. In both Federations some measure of friction is chronic, and in neither has a perfectly satisfactory system been evolved. The Union of Ireland and Great Britain in 1800 was in this respect, as in all others, a flagrant departure from sound principle. The Customs Union which followed it was a forced Customs Union, and, together with the other financial arrangements between the two countries, has produced results incredibly absurd and mischievous. Some of these results I briefly indicated in Chapter V. In the following chapters I shall tell the whole story fully, and I hope to convince the reader that we should follow, not only historically, but morally and practically, the correct line of action if, in dissolving the Legislative Union, we dissolve the Customs Union also. That would involve a virtually independent system of finance for Ireland, and place her fiscally in the position of a self-governing Colony. If and when a real Federation of the United Kingdom becomes practical politics, she would then have the choice of entering it in the spirit and on the terms invariably associated with all true Federations or Unions. That is, she would voluntarily relinquish, in her own

interest, financial and other rights to a central Government solely concerned with central affairs.

I need scarcely point out in this connection the vital importance of the question of representation at Westminster. Ireland resembles the self-governing Colonies, and differs from Great Britain, in that the greater part of the revenue raised from her inhabitants is derived from Customs and Excise—that is, from the indirect taxation of commodities of common use. If she is denied control of these sources of revenue under the coming Bill, it will be absolutely necessary, in spite of all the concomitant difficulties, to give her a representation at Westminster which is as effective as it can be made. But let it be realized that we could not make her control over her own finance as effective as that exercised by a small State within a Federation, because such a State, however small, has equal, or at any rate disproportionately large, representation in the Federal Upper Chamber, and Federal Upper Chambers can reject Money Bills. The Upper Chamber in Ireland's case would be the House of Lords, where she could scarcely be given effective representation, and which, in any case, cannot reject Money Bills.

Let us now examine Ireland's claim for fiscal autonomy.

CHAPTER XI

UNION FINANCE

I ASK the reader to follow with particular care the following historical summary of Anglo-Irish finance. None of it is irrelevant, I venture to say. It is not possible to construct a financial scheme, or to criticize it when framed, without a fairly accurate knowledge of the historical facts.

I.

BEFORE THE UNION.*

Before the Union Ireland had a fiscal system distinct from that of Great Britain, a separate Exchequer, a separate Debt, a separate system of taxation, a separate Budget. Yet she can never truly be said to have had financial independence, because she was never a truly self-governing country. Until 1779, when the Protestant Volunteers protested with arms in their hands against the annihilation of Irish industries in the interest of British merchants and growers, her external trade and, consequently, her internal production, were absolutely at the mercy of Great Britain. As I showed in Chapter I., Ireland was treated considerably worse than the most oppressed Colony, with permanently ruinous results. On the other hand, her internal taxation, never above a million a year, and her Debt, never above two millions in amount, were not heavy. But from 1779, through Grattan's Parliament to the Union, a short period of twenty-one years, Ireland, though still governed on the ascendancy system by an unrepresentative and corrupt Parliament of exactly the same

* The Treasury Returns of 1869, "Public Income and Expenditure," in two volumes, are the basis of all information up to that date.

composition as before, nevertheless had financial independence in the sense that her Parliament had complete control of Irish taxation, revenue, and trade. It was, moreover, in these financial matters that the Parliament showed most genuine national patriotism, together with a greatly enhanced measure of the Imperial patriotism traditional with it. Internal taxation, except in time of war, was still comparatively light; depressed home industries were judiciously encouraged by bounties; no attempt was made at vindictive retaliation upon British imports, though Irish exports to Great Britain were still unmercifully penalized; and sums, growing to a relatively enormous size during the French War, which began in 1793, were annually voted for the Imperial forces. This voluntary contribution, which had averaged £585,000 in the eleven years of peace, from 1783 to 1793, rose to £3,401,760 in 1797,* and in 1799, when Ireland was paying the bill for British troops called in to suppress her own Rebellion, to £4,596,762, out of a total Irish expenditure for the year on all purposes, military and civil, of £6,854,804. Not more than half, on the average, of these war expenses were met out of the annual taxes. Debt was created to meet the balance; but neither the debt, heavy as it was, nor the taxes, were intolerably burdensome—that is, if we regard Ireland as financially responsible for Imperial wars and for the suppression of a Rebellion which was provoked by scandalous misgovernment. Tax revenue rose from £1,106,504 in 1783, when the free Parliament first prepared a Budget, to £3,017,758 in 1800, and averaged a million and a half. In the same period the total amount of the funded and unfunded Irish Debt rose from £1,917,784 to £28,541,157, almost the whole of this increase having taken place in the seven years of war immediately preceding the Union.

In Great Britain both Debt and taxation had risen in a larger ratio, and were relatively far greater. For example, in the six years, 1793-1798 inclusive, £186,000,000 had been added to the British Debt, only £14,000,000 to the Irish Debt. In 1801 the British Debt stood at £489,127,057; the Irish Debt at £32,215,223.

* Mr. Secretary Pelham in this year estimated that Ireland, though contributing nothing in money to the Navy, had furnished no less than 88,000 men to the Navy since the beginning of the war.

II.

From the Union to the Financial Relations Commission of 1894-1896.

The Union of 1800, therefore, could not be justified on the ground that a poor country would profit by fiscal amalgamation with a rich country, and Pitt and Castlereagh, when framing the Union Act, recognized that truth by leaving Ireland with a separate fiscal system, as before; though the administration of this system was, of course, now to be wholly in British hands. There were to be separate Exchequers, Debts,* taxes, and balance-sheets, with the following restrictions: That prohibitions against imports and bounties on exports (corn excepted), should cease reciprocally in both countries; that, with the exception of 10 per cent. ad valorem duties on a variety of articles named, there should be mutual free trade; and that no tax on any article of consumption should be higher in Ireland than in Great Britain.

But although Pitt and Castlereagh ostensibly carried out the principle of separate fiscal systems, they laid the foundations for a fiscal amalgamation which was disastrous to Ireland. Since his Commercial Propositions of 1785, Pitt had never abandoned the idea of obtaining from Ireland an obligatory annual contribution to Imperial services based on some fixed principle. By Clause 7 of the Act of Union he achieved his aim. It was settled that for twenty years Ireland should contribute in the proportion of 1 to 7½ (or 2 to 15)—that is, that Great Britain should pay $\frac{15}{17}$, or 88·24 per cent., of common Imperial expenses, including the charge for debt contracted for Imperial services, and Ireland $\frac{2}{17}$, or 11·76 per cent. Nobody now denies that this ratio was grossly unjust to Ireland. It took no account of the relative pre-Union Debts; it took no account of the tribute of nearly four millions paid in rents to absentee English proprietors; it was based on superficial deductions from inadequate and misleading data, and the Act was hardly passed before its absurdity became manifest.

* Pre-Union Debts were to be separate. Post-Union Debt *contracted for Imperial services* was to be regarded as joint, and its charge was to be borne by the two countries in the proportions of their respective contributions (see below); but post-Union Debt contracted by Ireland for domestic services was to be kept separate.

Fifteen years of almost incessant war followed the Union. Ireland, even by raising taxation to the highest possible point, was unable to pay her contribution without contracting a Debt colossal in proportion to her resources. While Great Britain only doubled her Debt, and paid 71 per cent. of her expenses out of current taxation, the Irish Debt quadrupled, and in 1817 reached the portentous total of £112,634,773; while only 49 per cent. of Irish expenditure was paid for out of revenue. Here is a little table which shows the effect upon Ireland of Clause 7 of the Act of Union:

Five Years.		Average Revenue.	Average Expenditure.
		£	£
Before Union	1785-1790	1,246,000	1,247,000
	1790-1795	1,340,000	1,646,000
	1795-1800	2,100,000	4,601,000
After Union	1801-1806	3,643,000	7,270,000
	1806-1811	4,885,000	9,061,000
	1811-1816	5,927,424	13,188,000

The scandal could no longer be overlooked. It was impossible to raise the Irish taxes. Their yield was already showing signs of diminishing. But the Act of Union had provided for the situation which had arisen. One of the sections of the famous Clause 7 enacted that if and when the separate Debts of the two countries should reach the proportion of their respective Imperial contributions, Parliament might, if it thought fit, declare that all future expenses of the United Kingdom should be defrayed indiscriminately by equal taxes imposed on the same articles in both countries, "*subject only to such exemptions and abatements in favour of Ireland as circumstances may appear from time to time to demand.*" The framers of this section had anticipated that the English Debt would sink to the level of the Irish Debt. Anglo-Irish finance teems with grim jokes of this sort; but the section was useful in either event. With its terms before them, a Committee sat to consider the state of Ireland, with the result that, by an Act which came into operation on January 5, 1817, the Exchequers, Debts, revenues, and expenditures, but not as yet the taxes, of the two countries were amalgamated. In Professor Oldham's

words,* "the corpse of Ireland's insolvency was huddled into the grave, and no questions were to be asked." The whole expenditure, Imperial and local, of the United Kingdom, Ireland included, was to be defrayed out of a Consolidated Fund, and the arrangements, therefore, for a separate Irish contribution on a fixed basis to Imperial services were cancelled. Henceforth her Imperial contribution, for anyone who troubled to calculate it, was represented by the excess of revenue raised within Ireland over the expenditure in Ireland. A mutual free trade was also established, not instantaneously, but in the course of a few years. By 1824 all duties, as between Ireland and England, had ceased, and in 1826 the custom-houses ceased to record the transit of goods between England and Ireland, except in articles such as spirits, on which a different excise duty was charged. No statistics were compiled, therefore, of Anglo-Irish trade until ninety years later, when the Irish Department of Agriculture began to prepare returns. Such was the origin of our Customs Union against the world (for, needless to say, those were still the days of high Protection), and it is instructive to compare it with the voluntary pacts of the German States and South African Colonies, and with their political results.

In one important point unification was left incomplete. It was impossible in 1817 to equalize internal taxation in the two countries, though it was held desirable to do so, because Ireland could not have borne the higher British scale, and suffered enough under her own. Regard, too, was had at first to those important words in the Act of Union which guaranteed to Ireland such "exemptions and abatements" as might appear fair. But they were soon forgotten. Without any inquiry into the taxable capacity of Ireland, the stamp, tea, and tobacco duties were equalized early in the period, the enhancement in Ireland of the last duty from 1s. to 3s. on raw tobacco, and from 1s. to 16s. on manufactured tobacco, laying an exceptionally heavy burden on the Irish poor. Meanwhile the abolition, after the close of the war, of taxes representing about sixteen millions a year, and purely affecting Great Britain, gave a relief to her which Ireland did not feel. But it was not until 1853, when Mr. Gladstone

* Eight lectures delivered in the National University, Dublin, in 1911.

extended the income-tax to Ireland, and raised the Irish spirit duty, that the principle of "exemptions and abatements" was most seriously infringed. Mr. Disraeli followed in 1855 with a further elevation of the spirit duty, which was finally equalized with the British duty in 1858, at 8s. a gallon; while in 1860 both duties were raised to 10s. In the seven years 1853-1860 the taxation of Ireland was raised by no less than two and a half millions per annum. It will be recalled that the great famine had taken place in 1846-47, and that between the Census of 1841 and that of 1861 the population sank from eight to six millions, while the British population rose from eighteen and a half to twenty-three millions. The statistical result of the increased taxes, therefore, was to show a rise in taxation per head of the Irish people from 13s. 11d. in 1849 to £1 5s. 4d. in 1859, while in Great Britain it rose only from £2 7s. 8d. to £2 10s. during the same period. Equality of taxation has never been wholly established, for to this day a few quite unimportant taxes are not levied, or are levied on a lower scale in Ireland;* but from 1858 onward we may regard the taxation of the two countries as almost identically the same.

In the meantime a great revolution, also beginning at the time of the famine, had taken place in the fiscal system of the United Kingdom. Free Trade with the outside world had been established, and whatever we may conclude about its effect, it had been established, as we know, with a special view to British industrial interests, and without the smallest concern for Irish interests, which were predominantly agricultural. It was certainly followed by an immense industrial expansion and prosperity in Great Britain; it was certainly initiated at the lowest point of Ireland's moral and physical wretchedness. Opinions differ as to the precise economic effect upon Ireland. Miss Murray, in her thoughtful and exhaustive study of the commercial relations between England and Ireland, holds that, as agricultural producers, the Irish lost far more than they have gained as consumers of foodstuffs, while a number of small and struggling rural industries, whose powerful counterparts in Great Britain could easily withstand foreign competition, did undeniably succumb in Ireland.

* Inhabited house duty, railway passenger tax, carriages, armorial bearings, etc. The license for dogs is half the English scale.

My own opinion is that the past influence upon Ireland of free trade, in the first instance with Great Britain, and later with the outside world, though a highly interesting and important topic in itself, is commonly exaggerated, to the neglect of the vastly more important question of the tenure of land. Free trade did not cause the famine. On the contrary, the presage of the famine was one of the minor causes which induced Peel to take up Cobden's policy for the free importation of foodstuffs. The effect of that policy upon Ireland sinks into insignificance beside an agrarian system which had reduced the mass of the Irish peasants to serfs, kept them near the borders of destitution, and in a state of sporadic crime for a century and a half before, and for forty years after the repeal of the Corn Laws, and, at the climax of a period of high protection for agricultural products, rendered it possible for a mere failure of the potato-crop to cause death to three-quarters of a million persons. These things do not happen in properly governed, in other words in self-governed, countries, whatever their fiscal system, and they have never happened to Irishmen in any other part of the world but in their own fertile island. Manufacturing industries stand on a different footing. Most of the staple industries of Ireland, notably the woollen industry, and the aptitudes which brought them into being, were deliberately destroyed long ago by fiscal measures imposed by England, and their destruction aggravated the misery and exhaustion produced by a bad land system. How far their partial revival under the fiscal Home Rule of Grattan's Parliament was genuine, and might, with a continuance of fiscal Home Rule, have been permanent, it is impossible to say. The retarding effect of the Rebellion, and the long start already obtained by Great Britain in the industrial race, are factors beyond accurate calculation. But one thing is certain, that the revival of industries was, at that stage, of trivial importance beside the rural regeneration of Ireland, and that Grattan's Parliament had not the remotest influence for good upon the land question, which it neglected as heartlessly as its predecessors for a century before and its successors for seventy years afterwards.*

Industries are valuable assets for any country ; but countries

* On Foster's Corn Law of 1784, see p. 51.

almost wholly agricultural, like Denmark, can prosper remarkably, and without Protection, provided that they possess or evolve a sound system of agrarian tenure, in other words, a sound relation between tenant and landlord, or, in default of that, peasant ownership. In every country in the world that has been a *sine qua non* of prosperity. Suppose that English labourers had built out of their own money and by their own hands the factories, docks, and railways in which they worked, and that the resulting profits, wages deducted, went solely to ground landlords. That gives us some idea of the old Irish land system, whose overthrowal began only in 1870; a system under which the landlord put no capital into the land, though his rent represented the full profits of the tenant's capital and labour, less an amount equivalent to a bare subsistence wage, governed by competition.

The present influence upon Ireland of the Imperial fiscal system, now that peasant proprietorship has been half accomplished, is another matter upon which I shall have to say more presently, when we have completed our review of Anglo-Irish finance. Let us return to the point we had reached: that free trade with the outside world and the equalization of taxation between Great Britain and Ireland approximately coincided in point of time, and were also contemporaneous with rapid and continuous growth in the wealth and population of Great Britain, and a steady and continuous decline in the Irish population. We know now, moreover, though nobody knew it then, because the calculation was not yet made, that Ireland was paying a large contribution to Imperial services, over and above her local expenditure. In the half-century between 1810 and 1860 she had paid an average yearly sum of nearly four millions, and a total sum of nearly two hundred millions. In the year 1859-60, when the now equalized spirit duties were raised to 10s., she paid £5,396,000; a sum considerably more than double the expenditure on Irish services, and equivalent to no less than five-sevenths of the revenue raised in Ireland.

Parliament gave no serious attention to any of these phenomena from the time of the fiscal union in 1817 until after the introduction of Mr. Gladstone's second Home Rule Bill in 1893. No settled conclusions were arrived at as to the relative

wealth of the two countries, as to the capacity of Ireland to bear the British scale of taxation, or even as to the amount of revenue derived from and expended in the countries respectively, with the consequent contributions made to common Imperial services. A Committee sat in 1864-65, which compiled some interesting information and heard some important witnesses, but ignored the main questions at issue and produced what Sir Edward Hamilton described later as an "impotent" Report. Sir Joseph MacKenna, an able Irish banker, again and again, between 1867 and 1876, pleaded for an inquiry into Anglo-Irish finance, alleging gross injustice in the incidence of Irish taxation, and obtained nothing more than a rough return showing that between 1841 and 1871 the gross tax revenue per head of the population had risen in Ireland from 9s. 6·7d. to £1 6s. 2·2d. and had fallen in Great Britain from £2 9s. 9·5d. to £2 4s. 1·6d. For the first time also it was shown that the national beverages of England and Ireland, beer and whisky, respectively, were taxed in a ratio unfair to Ireland. In 1886 Mr. Gladstone, in preparing his first Home Rule Bill, had to re-open the question of the relative resources of Ireland and Great Britain for the first time since the Union, because he proposed a fixed annual contribution, unchangeable for thirty years, from Ireland towards the Imperial services. He fixed the contribution at one-fifteenth or approximately half that of two-seventeenths fixed by Pitt in 1800, and the new figure was certainly not too low. In 1888 the question was again incidentally raised by Mr. Goschen, who apportioned certain equivalent grants towards local taxation in England, Scotland, and Ireland, in the proportion of 80, 11, 9, apparently on the principle that those were the proportions in which each country respectively contributed to Imperial expenditure. Mr. Gladstone, in preparing the Home Rule Bill of 1893, made investigations which threw additional light on the true amount of revenue derived from Ireland, with allowance made for revenue from dutiable goods taxed in Ireland but consumed in Great Britain, and *vice versa*, but his financial scheme, as revised in the course of the Session and passed by the House of Commons, evaded the crucial issue by making Ireland's contribution to Imperial services a quota, one-third, of her true annual revenue. This quota,

moreover, was indirectly reduced by temporary subsidies in aid of Irish charges (*e.g.*, for Police) and was estimated, with these deductions, not to exceed at the outset one-fortieth.

III.

The Financial Relations Commission of 1894-1896.

It was now apparent that, with or without Home Rule, the whole subject needed serious investigation, and in 1894, after the defeat of Mr. Gladstone's Bill, a Royal Commission under the Presidency of Mr. Hugh Childers was appointed to consider the "Financial Relations between Great Britain and Ireland." Their Report deserves careful study, because it contains within it all the essential materials for forming a judgment upon the financial problem of to-day. All that it lacks are the complementary figures of the subsequent seventeen years, and these figures, which I shall presently add, do not affect the conflict of principles, though they throw into more vivid relief than ever the outcome of conflicting principles.

In composition it was a very strong Commission; it consulted the highest financial authorities in the Kingdom; it made for two years an exhaustive examination, historical and practical, of the questions submitted to it, and although the members disagreed on some important points, the conclusions upon which they were unanimous cannot be impugned. The terms of reference were:

"1. Upon what principles of comparison, and by the application of what specific standards, the relative capacity of Great Britain and Ireland to bear taxation may be most equitably determined.

"2. What, so far as can be ascertained, is the true proportion, under the principles and specific standards so determined, between the taxable capacity of Great Britain and Ireland.

"3. The history of the financial relations between Great Britain and Ireland at and after the Legislative Union, the charge for Irish purposes on the Imperial Exchequer during that period, and the amount of Irish taxation remaining available for contribution to Imperial expenditure; also

the Imperial expenditure to which it is considered equitable that Ireland should contribute."

It will be observed that Questions 1 and 2 deal with abstract points, No. 3 (except the last clause) with concrete facts.*

In their short unanimous Report the Commissioners began by stating that "Great Britain and Ireland must, for the purposes of this inquiry, be considered as separate entities."

To Question 1 they made no unanimous answer. This was immaterial, because, as a result of numerous tests (assessment to estate duties and income-tax, consumption of commodities, population, etc.) all arrived unanimously at an answer to the next question.

Answer to Question 2 (and incidentally, as will be seen, to part of Question 3): "That whilst the tax revenue of Ireland is about *one-eleventh* of that of Great Britain, the relative taxable capacity of Ireland is very much smaller, *and is not estimated by any of us as exceeding one-twentieth.*"

The wording of the answer needs to be explained by reference to the text of the Report.

(*a*) In saying "tax revenue" the Commissioners meant to exclude non-tax revenue—*e.g.*, Post Office receipts, etc.—but the Commissioners in their various separate Reports generally employed the figures of total revenue. Taking these as our basis, the Irish revenue then raised would have been nearly one-twelfth instead of one-eleventh of the British revenue. In other words, of the total revenue of the United Kingdom, Ireland paid nearly *one-thirteenth*. (*b*) As to the true Irish taxable capacity of "one-twentieth," some confusion arises owing to the use of the phrase by different Commissioners in different senses. Mr. Childers and Sir David Barbour appear to have meant one-twentieth of the United Kingdom's taxable

* The text of the unanimous conclusions was as follows:

1. That Great Britain and Ireland must, for the purpose of this inquiry, be considered as separate entities.
2. That the Act of Union imposed upon Ireland a burden which, as events showed, she was unable to bear.
3. That the increase of taxation laid upon Ireland between 1853 and 1860 was not justified by the then existing circumstances.
4. That identity of rates of taxation does not necessarily involve equality of burden.
5. That, whilst the actual tax revenue of Ireland is about one-eleventh of that of Great Britain, the relative taxable capacity of Ireland is very much smaller, and is not estimated by any of us as exceeding one-twentieth.

capacity, the others one-twentieth of Great Britain's. In order to be on the conservative side, I shall adopt the former estimate. The discrepancy is not material to the conclusions of the Commissioners, as, for reasons which I need not go into, they agreed that the minimum amount of over-taxation was two millions and three-quarters.

This was the main outstanding conclusion of the Royal Commission. Translated into figures, it showed the following facts: In 1893-94 the total revenue of the United Kingdom from all sources was £96,855,627. Of this sum the revenue contributed by Great Britain from all sources was £89,286,978; by Ireland, £7,568,649—that is, between one-eleventh and one-twelfth of the British revenue.

If Ireland in 1893-94 had paid in proportion to her true taxable capacity of one-twentieth, the maximum arrived at by any member of the Commission, the revenue derived from her would have been £4,842,781.

In other words, there was held to be an excess payment from Ireland of £2,725,868.

It was not suggested by any member of the Commission that Ireland, since the Union, had grown richer at a more rapid rate than England, and was therefore more capable of bearing taxation. On the contrary, it was admitted that she had grown, relatively, much poorer. On the most moderate estimate, therefore, the over-taxation of Ireland since the Union, computed strictly on the principle laid down, could be represented as amounting in 1894 to something like two hundred and fifty millions, or, if we date from the fiscal union of 1817, two hundred millions.

The answer given by the Commissioners to Question 3, so far as it goes, is explanatory of the previous answer.

"That the Act of Union imposed upon Ireland a burden which, as events showed, she was unable to bear.

"That the increase of taxation laid upon Ireland between 1853 and 1860 was not justified by the then existing circumstances."

And they added the opinion "that identity of rates of taxation does not necessarily involve equality of burden."

Their answers, so far as they were complete, to the other inquiries contained in Question No. 3 about the tax revenue

of Ireland and the net contribution of Ireland in the past to Imperial services, are to be found in figures included in the body of the Report, and these figures formed, of course, the basis of their unanimous conclusion as to the over-taxation of Ireland.

These figures, to which I have often alluded in this volume, necessitate a short digression, because they and subsequent Returns of the same sort form the only official data upon which to estimate the present financial position of Ireland.

They were extracted partly from annual Returns originally issued by the Treasury for the Home Rule Bill of 1893, and entitled "Financial Relations (England, Scotland, and Ireland)," and partly from a new document known as the "Pease" Return, No. 313 of 1894. These Returns, taken together, represented the first serious attempt by the Treasury to construct an account covering a period from 1819-20 to 1890-91, and showing (*a*) the exact revenue derived from Ireland and Great Britain respectively; (*b*) the local expenditure in Ireland and Great Britain respectively, as distinguished from Imperial expenditure incurred for the benefit of the whole United Kingdom; (*c*) the net contribution of Ireland and Great Britain respectively to this latter expenditure for Imperial services only.

Since 1894 two regular annual Returns have been compiled, the one showing the revenue, local expenditure, and net Imperial contribution of Scotland, Ireland, and England (including Wales), the other giving an historical summary of similar figures for Great Britain and Ireland only, from 1819-20 to the current date.

Two insoluble problems have had to be grappled with by the Treasury in preparing these Returns: first, to differentiate Imperial expenditure from local expenditure; second, to arrive at the "true" net revenue of the partners as distinguished from the revenue collected within their respective limits. Both these problems arise whenever an attempt is made to look behind a system of unitary finance into the burdens and contributions of different portions of a united realm, and the latter, though not the former, of the two may arise in just as acute a form if the realm consists of federated States with a common system of Customs and Excise.

With regard to the first problem, it is, of course, easy, in the case of a Federation, to distinguish between central, or Federal, expenditure and local, or State, expenditure, because the functions of the Federal Government and State Governments are delimited in the Constitution, and the separate expenditures form the subject of separate balance-sheets. But in a Union, and above all in a Union to which one part of the realm is an unwilling party, like that of the British Isles, it is clear that no absolutely accurate line can be drawn between Imperial and local expenditure. The Army, the Navy, and a number of other things are clearly enough Imperial, but there are many debatable items. For example, Is the upkeep of the Lord-Lieutenant an Irish or an Imperial charge? Is a loss on Post Office business in Ireland to be charged against Ireland, or should Ireland be credited with a proportion of the profits of the whole postal business of the United Kingdom? More searching questions still: Is the enormous charge for the Irish Police, which is under Imperial control, and exists avowedly for the purpose of forcibly maintaining, in the Imperial interest, an unpopular form of government in Ireland, to be charged against Ireland? Or, again, should Ireland be debited with the cost of the machinery for carrying out Land Purchase, a policy admittedly rendered necessary by the enforced maintenance in the past of bad land laws? Obviously such questions can never be answered so as to satisfy both Irishmen and Englishmen, because they go to the root of the political relations between Ireland and Great Britain. The Royal Commission, therefore, was naturally unable to give a unanimous answer to the last clause of Question No. 3 of their Terms of Reference—namely, "What is the Imperial expenditure to which Ireland should equitably contribute?" Some members held that under the Union even a theoretical classification was unjustifiable, while it was obvious that under the Union no effect could be given to it. Still, the classification had to be made, in order to arrive at a theoretical estimate of the financial situations of Great Britain and Ireland respectively, and the Treasury, charged with the preparation of this estimate, took the only course open to it in reckoning as Irish expenditure all expenditure which would not have to be incurred if Ireland did not exist. It was the perfectly correct course for the

Treasury to take in dealing with the task set before them, and, as we shall see, it provides the only basis on which to construct the balance-sheet of a financially independent Ireland.

The insolubility of the second problem—that of discovering the "true" revenue of Ireland and Great Britain respectively—arises from the difficulty of tracing the passage of dutiable articles from one part of the kingdom to the other, and of tracing the incidence of direct imposts such as income-tax and stamps. The great bulk of Irish revenue is derived from indirect taxes on commodities, liquor, tobacco, tea, sugar, etc. Since the consumer pays the tax, revenue is rightly credited to the country of consumption. The tax, for example, on tobacco manufactured in Ireland may be collected in Ireland, but the revenue from Irish-made tobacco exported to and consumed in Great Britain is rightly credited to Great Britain. The converse holds true. Half the tea consumed in Ireland has paid duty in London, but the whole of the revenue from tea consumed in Ireland must be credited to Ireland. Now, since 1826, no official records had been kept by the Customs-houses of the transit of goods between Ireland and England, except in the solitary case of spirits. The data, therefore, did not exist, and do not exist now, except in the case of spirits, for an accurate computation. This is frankly confessed by the Treasury officials. They base their published figures on certain arbitrary methods of calculation which have never been submitted to any public inquiry, and which, as they admit, contain an element of guesswork. The matter is an exceedingly important one to Ireland, because ever since 1870 an increasingly heavy deduction has been made by the Treasury from her "collected" revenue, and her "true" revenue has proportionately diminished. Part of this deduction is no doubt due to the fact that her exports of tobacco and liquor have, in recent times, much exceeded her imports, but the margin for error is nevertheless large. Mr. Gladstone, in framing his Home Rule Bill of 1886, was so sensible of the inherent difficulties of the calculation that, while retaining Customs and Excise under Imperial control, he credited to the Irish Exchequer the whole of the revenue collected within Ireland. On the balance of Anglo-Irish exchange in dutiable

articles, as roughly estimated at that time, this provision meant an annual allowance to Ireland of nearly a million and a half pounds, the principal reason being that Ireland, which is a larger manufacturer of spirits and tobacco, was exporting more than she consumed of these commodities. In the Bill of 1893, as part of a wholly different financial scheme, Mr. Gladstone abandoned the plan just described, and provided for the annual calculation of "true" Irish revenue, as distinguished from "collected" revenue; but it is a proof of the obscurity and intricacy of the whole business that the Treasury officials made a mistake of £400,000 in the initial calculation, with the result that Mr. Gladstone had to recast his financial scheme from top to bottom.

In the Return of 1894, as presented to the Royal Commission, this error was eliminated, but the method of calculation remained imperfect. Nobody knows now what the true figures are, and there is good reason to think that Irish revenue has always been, and still is, substantially underestimated.

The same obscurity shrouded, and still shrouds, the "true" Irish revenue from income-tax and stamps, whose proceeds it is exceedingly difficult to trace under a system of unitary finance, and which are traced by the Treasury in a fashion again admittedly unreliable.*

In regard to taxes on consumption the same difficulty has been met with in Australia since the federation of the Colonies and the delegation to the Commonwealth Government of exclusive control over Customs and Excise. The product of these duties makes up the bulk of Australian revenue, and is far too large for the needs of the Commonwealth Government. The Constitution of 1900 provided that the surplus should be returned to the individual States in proportion to their "true" contributions to the revenue, and for the calculation of these "true" contributions an elaborate system of book-keeping was instituted, in order to trace the ultimate place of consumption of dutiable articles. Each State was then credited with its "true" revenue, and debited, among other things, with a proportionate share of the expense of any Department transferred by the Constitution from the State to the Common-

* Detailed criticism of the current Treasury accounts under this head will be found on pp. 276-278.

wealth. The system caused general dissatisfaction, owing, as the Australian Official Year Book puts it, "to the practical impossibility of ensuring that in every case a consuming State will be duly credited with revenue collected on its behalf in a distributing State." That is the well-founded complaint of Ireland in regard to the Treasury returns. Hitherto in Australia efforts to change the system for another allocating the surplus on a basis of population have not been successful.* The Canadian Federal Constitution uses the basis of population for the distribution of small subsidies to the Provinces, but complaints have arisen as to its fairness. British Columbia, for example, for a long time complained that her subsidy was too small, one of the grounds being that her consumption of dutiable goods was unusually large. No means existed of verifying this complaint by figures.†

With this explanatory digression about a very important feature of Anglo-Irish finance, I return to the findings of the Royal Commission of 1894-1896. The figures supplied to them were as shown on the opposite page.

It will be noticed that the average "true" revenue of Ireland was stationary at a little over five millions from 1820 to 1850, rose with a bound to seven and a half millions with the equalization of taxes in the decade 1850-1860, and remained stationary

* A referendum taken on April 13, 1910, defeated the new proposals. See "Report of Premiers' Conference held at Brisbane, May, 1907" (Commonwealth Parliamentary Sessional Paper, No. 13, 1907), and for a clear statement of the whole subject, the "Year-Book (1911) of the Commonwealth of Australia." (The relevant clauses of the Constitutional Act are Nos. 88 to 98.) The reasons for the failure of the system were summarized as follows:

"1. The trouble and expense which the necessary record entails.

"2. The practical impossibility of ensuring that in every case a consuming State will be duly credited with revenue collected on its behalf in a distributing State.

"3. The difficulty involved in equitably determining the amount to be debited to the several States in respect of general Commonwealth expenses.

"4. The uncertainty on the part of the State Governments as to the amount which will become available.

"5. The impossibility of securing independent State and Commonwealth finance."

See also pp. 295-299.

† See Proceedings of the Conference of Provincial Premiers, 1906, at Ottawa (Canadian Sessional Papers, vol. xl.), especially McBride's Memorandum for British Columbia. Numerous other grounds for special treatment were alleged—*e.g.*, abnormal cost of civil government, due to vast extent of Province.

at that figure for the remaining thirty-four years. Expenditure in Ireland quadrupled in the whole sixty-four years; and the net contribution to Imperial services, after rising from three and a half millions (in round numbers) in 1820 to five and a half millions in 1860, fell automatically, as the expenditure rose, and had stood at two millions from 1890 afterwards. Population had fallen by two millions, but the "true" revenue raised per head of population rose from 15s. 5d. in 1819 to £1 13s. 5d. in 1894, while the local expenditure rose from 4s. 7d. per head in 1820 to £1 5s. in 1894.

STATEMENT SHOWING THE ESTIMATED LOCAL EXPENDITURE INCURRED IN IRELAND, AND THE BALANCE OF TRUE REVENUE WHICH IS AVAILABLE FOR IMPERIAL SERVICES AFTER SUCH EXPENDITURE HAS BEEN MET:

		Revenue as collected.	Adjustment (+) or (−).	Estimated True Revenue.	Estimated Local Expenditure.	Balance available for Imperial Services.	Population.
		£	£	£	£	£	
Decadal figures.	1819-20	5,253,909	+ 2,655	5,256,564	1,564,880	3,691,684	6,801,000
	1829-30	4,461,217	+ 1,040,908	5,502,125	1,345,549	4,156,576	7,767,401
	1839-40	4,574,150	+ 841,739	5,415,889	1,789,567	3,626,322	8,175,124
	1849-50	4,338,091	+ 523,374	4,861,465	2,247,687	2,613,778	6,574,278
	1859-60	7,097,994	+ 602,430	7,700,334	2,304,334	5,396,000	5,798,967
	1869-70	7,331,058	+ 95,274	7,426,332	2,938,122	4,488,210	5,412,377
	1879-80	7,881,316	− 550,520	7,280,856	4,054,549	3,226,307	5,174,836
	1889-90	9,005,932	− 1,271,254	7,734,678	5,057,708	2,676,970	4,704,750
Annual figures.	1890-91	9,301,463	− 1,506,988	7,794,475	5,723,399	2,071,076	—
	1891-92	9,639,331	− 1,671,226	7,968,105	6,021,810	1,946,295	—
	1892-93	9,425,177	− 1,986,780	7,438,397	5,540,508	1,897,889	—
	1893-94	9,650,649	− 2,082,000	7,568,649	5,602,555	1,966,094	4,638,000 (estimated)

In 1893-94, the last year under review, Ireland, in round figures, was producing a net revenue of seven and a half millions, was costing five and a half millions, and was, therefore, contributing to Imperial services a surplus of two millions. In the same year, while contributing her two millions, she was overtaxed, according to the lowest estimate of the Commissioners, by two and three-quarter millions.

But the significance of these figures cannot be discerned without an examination of their counterparts on the British side of the account. In the whole period Great Britain's "true" revenue had risen from £51,445,764 to £89,286,978; her local expenditure from £4,439,333 to £30,618,586, and her net contribution to Imperial services from £47,006,431 to

£58,668,392. Her population had increased from 13,765,000 in 1820 to 33,469,000 (estimated) in 1893, but her "true" revenue had *fallen* per head of the population from £3 13s. to £2 13s. 4d. (approximately), although her local expenditure had risen from 4s. 7d. to £1 2s. (approximately). In other words, a great increase of wealth had enabled the British taxpayer to pay far more while feeling the burden far less. The converse was true of Ireland.

The current state of the account in 1893-94 was as follows :

1893-94.	Great Britain (Population, 33,469,000).	Ireland (Population, 4,638,000).	Totals.
	£	£	£
"True" Revenue	89,286,978	7,568,649	96,855,627
Local Expenditure	30,618,586	5,602,555	36,221,141
Net contribution to Imperial Services	58,668,392	1,966,094	60,634,486

Great Britain, though raising in "true" revenue between eleven and twelve times as much as Ireland, was costing only between five and six times as much to administer as Ireland, and was therefore contributing to Imperial services twenty-eight times as much as Ireland.

Now the Commissioners had stated that the taxable capacity of Ireland was not one-eleventh, but, at the utmost, one-twentieth—in other words, that she ought to contribute not more than one-twentieth of the United Kingdom revenue. On that basis she should, as we have seen, have been showing a revenue in 1893-94 not of £7,568,649, but of £4,842,781.

But, if her local expenditure had also been proportionate to her true taxable capacity of one-twentieth, instead of standing at £5,602,555, it would have stood at £1,811,057, or two-thirds less, while if her net contribution to Imperial services had likewise been a twentieth, instead of paying £1,966,094, she would have had to pay £3,031,724, or a million more.

The conclusion, therefore, might be extracted from the figures that, although by hypothesis overtaxed, Ireland was drawing a balance of profit, because, by having more spent on her—or, to put it in another way, by costing more to

govern, she paid a million less to the common purse than if she had been taxed according to her capacity.

This was precisely the conclusion drawn by one member of the Commission, Sir David Barbour, and implicitly acquiesced in by one other member, Sir Thomas Sutherland. All the other Commissioners agreed that there was something seriously amiss, and declined to regard the disproportionately high expenditure on Ireland as compensation for the over-high taxation. The O'Conor Don, as successor in the chairmanship to Mr. Childers, and four others contented themselves with setting forth the facts, but made no recommendations, on the ground that the Commission had not been asked to make any. Mr. Childers, who died before the completion of the inquiry, left a Draft Report recommending that a special grant, amounting to two millions a year, should for the future be allocated to Ireland. The other six members, dividing into two groups of three, under Lord Farrer and Mr. Sexton respectively, and stating their views in two different Reports, all agreed that a form of Home Rule giving financial independence to Ireland was the only solution of the difficulty.

The questions at issue were not at all obscure. Any apparent obscurity was caused by the terms of reference to the Commission, which assumed the permanence of the Union, while it was absolutely impossible for the Commission, divided though its members were in politics, to start work at all without, as they said, considering Great Britain and Ireland as "separate entities." The reader must be on his guard against exaggerating the "over-taxation of Ireland" in its purely cash aspect. The really important points were: (1) The suitability of the Irish taxes and the responsibility for levying them; (2) the amount and suitability of the expenditure in Ireland and the responsibility for its distribution. In order to see conflicting principles stated in their clearest form the reader should compare the terse and vigorous reports of Sir David Barbour on the one hand, and of Lord Farrer, Lord Welby, and Mr. Currie on the other.

It was Sir David Barbour's great merit that he was not afraid of his own conclusions. He frankly stated, like all the other Commissioners, that Ireland's taxation, considered by itself, without regard to Irish expenditure, was unsuitable and

unjust. He recognized that a system of taxation which was suitable for a rich, industrial, and expanding country like Great Britain was unsuitable for a poor, agricultural, and economically stagnant country like Ireland. He had before him the figures showing that two-thirds of the Irish population was rural, and that between three and four-fifths of the English population was urban.* He laid special stress on the fact that five-sevenths of Irish revenue, as compared with less than half the British revenue, was derived from taxes on commodities of general consumption, pressing heavily on the poor, and set forth the figures showing that the product of these taxes represented a charge of £1 2s. ·95d. per head of the population in Ireland, and £1 1s. ·05d. in Great Britain, although the wealth per head of Great Britain, as he admitted, "was much greater than the wealth of Ireland per head."† His conclusion was that this state of affairs, though regrettable, could not be helped, because, under the Union, whose permanence he took for granted, a change of general taxation to suit Ireland was simply impracticable. He did, it is true, point out incidentally that the same hardship might be said to affect poor localities in Great Britain and poor individuals in Great Britain, but he recoiled from the absurd fallacy involved in saying that on that account Ireland was not unjustly taxed. If he had gone to that length he could never have signed the unanimous Report.

I only mention this latter point because some outside critics have been bold enough to assert the fallacy in its completeness, proving, as they easily can, that the purchase of a pound of tea or a pint of beer is as great an expense to a man with 10s. a week in Whitechapel as to a man with 10s. a week in Connemara. Such reasoning nullifies the whole science of taxation. It would be as sensible to say that our whole fiscal system might wisely be transplanted in its entirety to any foreign country or to any self-governing Colony absolutely irrespective of their social and economic conditions and of their habits. Yet Ireland in these respects has always differed from Great Britain at least as much as any self-governing Colony and many European countries. The tea-tax produces scarcely anything in France; it produces an enormous amount

* Final Report, p. 24 (Census figures of 1891). † Final Report, p. 122.

relatively in Ireland, and is a greater burden there than in Great Britain. The wine-tax is not felt by Ireland; it is felt more by England; it would cause a revolution in France. Beer is taxed lightly in the United Kingdom, but the Irishman drinks only half as much beer as the Englishman. Meat is untaxed, but the Irish poor eat no meat. Spirits and tobacco are highly taxed, and they are consumed more largely in Ireland than in England. And so on. The whole Commission recognized that the circumstances of the two countries were different, and stated "that identity of rates of taxation does not necessarily involve equality of burden."

Nor could Sir David Barbour have dissociated himself from these conclusions without destroying the rest of his argument. He pointed out with truth that merely to reduce Irish taxation to its correct level, and to leave Irish expenditure where it was, would be to wipe out Ireland's contribution to Imperial purposes and leave her with a subsidy from Great Britain of three-quarters of a million. On the other hand, he held, as I have already indicated, that unduly heavy taxation in Ireland was already compensated for by an excess of local expenditure in Ireland as compared with Great Britain. But how, on its merits, and apart from the question of taxation, could such an excess be justified? The Act of Union had provided for indiscriminate expenditure in the event of a fiscal union. Most of the other Commissioners, indeed, had objected to the idea of distinguishing between "Imperial" expenditure and "local" expenditure, and striking a balance called an "Imperial contribution," without, at the same time, distinguishing politically between Ireland and Great Britain. In other words, they took up the not very logical position that Ireland must be considered as a separate entity for purposes of finance owing to the phrase about "abatements and exemptions," but not for purposes of expenditure. Whether this was a correct interpretation of the Act of Union has always been a matter of dispute, but the practical problem is little affected thereby. Sir David Barbour thought it an incorrect interpretation, and reached the more logical position that Ireland, both for revenue and expenditure, could be regarded as a separate entity. This view enabled him to put forward an argument which, while ostensibly palliating the over-taxation

of Ireland, in reality condemned the whole of the political system established by the Union. We can, he said, in effect, rightly distinguish between Imperial and local expenditure, and it is permissible to spend more on Ireland than on Great Britain. By so spending more we not only cancel our debt to Ireland, but make her a present of a million which would otherwise go to swell her contribution to Imperial purposes. Now, to get at the pith of this argument, the reader must bear in mind what Sir David Barbour thought it needless to remark upon, that Ireland had, and has, a separate quasi-colonial system of administration of her own, but outside her own control, a system of which he approved. In other words, besides having to be considered in finance as a "separate entity," she was to a large extent in actual fact, politically, a "separate entity," though not a self-governing entity, to which through the channel of the Irish Government Departments a special large quota for local expenditure could be easily allocated. As an economist, therefore, and as an upholder of the strangely paradoxical system set up by the so-called "Union," Sir David Barbour was absolutely consistent.

So were Lord Farrer, Lord Welby, and Mr. Currie in coming to diametrically opposite conclusions. The crux of the discussion, stripped of academical reasoning, was simple. Everything turned, obviously, on the nature, amount, and origin of Irish expenditure. Sir David Barbour had passed lightly over these vital points, recommending only that any future *saving* of expenditure in Ireland ought to be used for Irish purposes—a further admission of Ireland's separate political existence—and shutting his eyes to future *increases* of expenditure. Lord Farrer and his colleagues, while agreeing that it was impossible to alter the taxation of Ireland so long as the Union lasted, agreed that additional local expenditure in Ireland could not be regarded as a set-off to undue taxation, not only because such a doctrine was inherently fallacious on economic grounds, and would hardly be listened to in the case of any other country than Ireland, but because Irish expenditure was subjected to no proper means of control. Both Irish revenue and Irish services, the former being only theoretically, the latter actually, distinct and separate, were outside the control of Irishmen, who had therefore no motive for

economy. Nor was there any proper measure of determining what expenditure was good for Ireland and what was bad, though they held that there was reason to believe that much of Irish administration was both bad and costly. With regard to the extensive system of Imperial loans, whose charge swelled the Irish expenditure, they quoted the unchallenged evidence of Mr. Murrough O'Brien* to the effect that the system of Imperial loans for temporary emergencies and charity loans—"made to keep the people quiet or to keep them alive"—tends to increase the poverty of Ireland, "does not prevent the recurrence of famine, distress, and discontent," and that "a great deal of the money nominally meant to be spent on productive works has been misspent and wasted." They also dwelt, with emphasis, on official figures showing the extravagance of Civil Government in Ireland, the cost having risen from 1s. 10d. per head of the population in 1820 to 19s. 7d. per head in 1893, whereas the cost of Civil Government in Great Britain had only risen from 1s. 7d. to 11s. 5d. The charge for legal salaries and five principal Departments in Ireland was double the right figure according to population, and represented an excess cost of nearly £200,000. In wealthy and progressive Belgium, Civil Government cost 10s. per head, or little more than half as much per head as in Ireland.† The absurdity of representing such excess charges and the wasteful expenditure of a blundering philanthropy, as a recompense for over-taxation, was manifest.

Meanwhile, the rise in the cost of Irish Government, coupled with a stagnant revenue, had decreased the annual contribution of Ireland to Imperial services, which had fallen from five and a half millions in 1860 to two millions in 1894; unless, indeed, half the cost of Irish police, virtually a branch of the Imperial Army, and costing double the amount of Scottish and English police, were to be reckoned, not as an Irish expense, on the principle adopted by the Treasury, but as a part of Imperial expenditure. In any case both partners suffered from excessive and unwise expenditure in Ireland.

The gist of their conclusions was as follows:‡

1. It is impossible, under the Union, to vary taxation for the benefit of Ireland.

* Final Report, p. 50. † *Ibid.*, pp. 48, 49. ‡ *Ibid.*, pp. 51-54.

2. Additional benevolent expenditure in Ireland is not a remedy for over-taxation.*

"We entertain a profound distrust of benevolences, doles, grants-in-aid, by whatever name they are called, . . . or by whatever machinery it is proposed to distribute them, convinced, as we are, that in some form or other political influence or personal interest will creep in so as to defeat, in part at any rate, the attainment of the objects for which the expenditure is made."

3. "We believe that the expenditure of public funds cannot be wisely and economically controlled unless *those who have the disposal* of public money are made *responsible* for raising it as well as spending it." Grants of money "tend to weaken the spirit of independence and self-reliance," the absence of which qualities "has been the main cause of the backward condition" of Ireland.

4. "One sure method of redressing the inequality which has been shown to exist between Great Britain and Ireland will be to put upon the Irish people the duty of levying their own taxes and of providing for their own expenditure."

5. "If it is objected that the course we suggest may lead to the imposition of new Customs duties in Ireland, we might reply that in this case, as in that of the Colonies, *freedom is a greater good than free trade.* We doubt, however, whether Irishmen, if entrusted with their own finance, would attempt to raise fiscal barriers between the two countries; for we are satisfied that Ireland, and not Great Britain, would be the loser by such a policy. The market of Great Britain is of infinitely greater importance to Ireland than that of Ireland to Great Britain." The only point on which the three Commissioners differed concerned Ireland's contribution to Imperial services. Lord Farrer and Mr. Currie, taking Home Rule as the foundation of their argument, and prophesying, quite correctly, that under the Union, in a few years, Ireland's contribution would disappear altogether, recommended that no such contribution should be exacted by law until Ireland's taxable capacity approximately reached that of Great Britain. Lord Welby,

* They were at issue here with Mr. Childers, who, in his Draft Report, proposed halving the rates on Irish railways and further endowing the Congested Districts Board. But Mr. Childers, though a Home Ruler, felt himself bound by the Terms of Reference not to suggest a Home Rule solution.

regarding Home Rule as an essential but a distant ideal, was for an immediate reorganization of Anglo-Irish finances which should provide for a large reduction of Irish Civil expenditure, the saving to be devoted, on Sir David Barbour's principle, to Irish purposes, and for a fixed contribution from Ireland to the Army, Navy, National Debt, etc. How Lord Welby, consistently with his previous argument, could count upon any reduction of expenditure in Ireland under the existing political system it is difficult to see. At any rate, subsequent events proved both him and Sir David Barbour signally wrong on this important point.*

In every other point the wisdom of the three Commissioners has been abundantly proved by lapse of time. Do not the conclusions set forth above bear upon them the stamp of common sense? If it were not for the inveterate prejudice against Home Rule on other than financial grounds, no one would dream of disputing them; for they are based on principles universally accepted in every part of the British Empire but Ireland, and in most parts of the civilized world. They constitute, in fact, financially, one of the strongest arguments possible for political Home Rule.

There, at any rate, lies a clear issue. Seventeen years have not altered the essential principles involved. On the contrary, it will be seen that every year of the seventeen has strengthened the argument of Lord Farrer and his colleagues, and weakened the argument of Sir David Barbour. But, before proceeding to this final demonstration, let me in general terms describe what befell the Royal Commission's Report, which was published in 1896. For a moment all Ireland, irrespective of class or creed, was alight with patriotic excitement. Few listened to Sir David Barbour's view, namely, that so long as Irish expenditure came near Irish revenue there could be no Irish grievance. Home Rulers and Unionists met on friendly platforms to denounce the over-taxation of Ireland and to display figures showing the hundreds of millions of profit made by

* Lord Welby (Final Report, p. 54) compared his proposal for Ireland with the system in the Isle of Man, where the proceeds of a tariff distinct from that of Great Britain were devoted in the first instance to the payment of a fixed Imperial contribution and the surplus to local needs. But in the Isle of Man the whole point was that the tariff was a local tariff, chosen by Manxmen to suit themselves, while the administration was under Manx control.

Great Britain out of an unconscionable fiscal bargain. This criticism missed the real point and the unanimity was short-lived. No change could be made in the system without Home Rule, and the dissension about Home Rule was strong enough to prevent Irishmen from uniting against a fiscal system which was not only unjust but demoralizing to Ireland. A Unionist Government was in power for nine more years after 1896, and a Liberal Government, pledged temporarily not to give Home Rule, for four further years. The natural result was that, in default of Home Rule, all parties in Ireland embraced Sir David Barbour's insidiously attractive reservation, and have ever since fallen into the habit of regarding additional expenditure on Ireland, not only on its merits, but as a set-off to excessive taxation and as something having no relation whatever to the taxable resources of the country. Nobody took seriously Sir David Barbour's counsel of perfection about the reduction of the cost of Irish Civil Government and the allocation of the saving to Ireland, because such a process was, humanly speaking, impossible. Expenditure is never reduced except by those who raise the money for it. On the other hand, in the face of the findings of the Royal Commission, and in the face of Ireland's economic condition, no Government which refused Home Rule could have refused large additional Irish expenditure. Much of it, indeed, was merely an automatic reflection of the immense growth of national expenditure in the wealthy and expanding partner-country over the water, and took the form of "equivalent grants," whether for the corresponding British head of expense or for something totally different. No doubt some of the money was well spent, but all of it came in a wrong form, through wrong channels, and was regarded in Ireland in a false light. Lastly came Old Age Pensions applied on the British scale to a far poorer population.

Every word of Lord Welby's and Lord Farrer's condemnation was justified by events; every prophecy they made has been fulfilled. And the worst of it is that the delay has damaged the prospects of Home Rule. The habit of dissociating income from revenue becomes inveterate. The habit of nursing an old grievance and of expecting "restitution" for funds unwarrantably levied in the past is hard to shake

off. Restitution has gone too far already. Perpetuated, it would ruin Ireland. Home Rulers worth their salt must leave this cry to those Unionists who descend to use it; but it is surely amazing that any Irishman, least of all those who claim to represent the wealth and intelligence of the country, should tolerate a political system which inexorably involves a fiscal system so humiliating to Ireland. Until three years ago it could easily have been put an end to without affecting the independent solvency of Ireland, even on the basis of an enormously swollen civil expenditure, and with the inclusion of services strictly Imperial in origin and character. Now it is a different matter, and we are faced with the opposition of British statesmen who, by sustaining the Union, drove Ireland to the verge of insolvency, and now use insolvency as an argument against Home Rule.

One respects the clean and honest side of Unionism, but there can be nothing but reprobation for the meanness of this latter-day argument. For generations Ireland herself has asked to be free both from coercion and bribes, sanely conscious in her soul that both are equally demoralizing. The aim—though in the past not generally the conscious aim—of Unionism was to sap the moral fibre of Ireland now by one means, now by the other. At last the aim is avowed, so that men who applauded Mr. Chamberlain in 1893 for sneering at Irish patriotism as a "sickly plant which needed to be watered by British gold" merely because her contribution under the Home Rule Bill was to be small are now urging Ireland to maintain the Union—in Mr. Walter Long's words—for its "eleemosynary benefits."* Ireland herself must and will rise to a higher moral level than that, when she is fully awake to the gravity of the situation. Those who love her most will not lose a minute in explaining that situation. Too much time already has been lost.

* Letter to the *Belfast Telegraph*, October 7, 1911.

CHAPTER XII

THE PRESENT FINANCIAL SITUATION

I.

Anglo-Irish Finance To-day.

The finances of Ireland since the Union, when reviewed by the Royal Commission in 1894-1896, exhibited five principal features :

1. A declining population.

2. An estimated true taxable capacity falling as compared with that of Great Britain, and standing in 1893-94 at a maximum of 1 to 19.

3. A revenue stationary for thirty-four years, and showing in 1893-94 a ratio of 1 to 12 with that of Great Britain.

4. A growing local expenditure (though stationary for the last four years).

5. A dwindling net contribution to Imperial services (though stationary for the last four years).

If we review the subsequent seventeen years, we find :

1. A population still declining, though at a slower rate.

2. An estimated true taxable capacity still falling as compared with that of Great Britain, and now standing at a maximum of 1 to 24.* That is, Ireland ought strictly to be paying no more than one-twenty-fifth of the United Kingdom revenue.

3. A revenue rising, but very slowly and inelastically as compared with that of Great Britain, and now showing a ratio of 1 to 15; so that the "over-taxation" of Ireland, as reckoned

* *I.e.*, on the generally accepted basis of (1) assessment to death duties, (2) assessment to income-tax. With regard to (1), in the last report of the Inland Revenue Commissioners, the figure for the United Kingdom was £371,808,584; for Ireland, £15,872,802, or $\frac{1}{23\cdot4}$. With regard to (2), the figure for the United Kingdom was 1009·9 millions; for Ireland, 39·7 millions, or $\frac{1}{25\cdot4}$. Deduct a small allowance for the difference between resources and taxable capacity, and the result approximately is one-twenty-fifth.

on the Royal Commission's principles, is still at least three millions.*

4. A local expenditure growing rapidly and disproportionately to Irish revenue; now just double the expenditure of 1893-94.

5. A net contribution to Imperial services automatically diminishing with the growth of Irish expenditure, disappearing altogether in 1909-10, and now converted into an adverse balance against Ireland of £1,312,500.

In Great Britain during the same seventeen years, population, taxable capacity, revenue, expenditure, and net contribution to Imperial services have all grown steadily, and, what is more important, in healthy proportions to one another.

On the next page will be found the comparative figures for Ireland and Great Britain of revenue, expenditure, and contribution for 1893-94 and 1910-11.

Let me remark at the outset (*a*) that they and other official figures given in this chapter are taken from the annual Treasury returns alluded to at p. 242, "Revenue and Expenditure (England, Scotland, and Ireland)" and "Imperial Revenue (Collection and Expenditure) (Great Britain and Ireland)." For the current year 1910-11 the official numbers of these Returns are 220 and 221, and the latter of the two is virtually a continuation of the original return, No. 313 of 1894; (*b*) that the non-collection of a large part of the revenue of 1909-10, owing to the delay in passing the Budget, makes the revenue figures of the last two years, regarded in isolation, misleading, those of the first year being abnormally low, those of the last abnormally high. I therefore give the mean figures of the two years. Expenditure is, of course, unaffected. (*c*) That

* Total revenue (including non-tax revenue) of United Kingdom (mean of two years, 1909-10, 1910-11) ... £165,147,500
One-twenty-fifth £6,605,900
Actual "true" revenue contributed by Ireland (mean of two years, 1909-10, 1910-11) £10,032,000
"Over-taxation" £3,426,100

If only the tax-revenue be taken, the over-taxation amounts to £3,109,800 (total revenue for United Kingdom, £140,680,000; one-twenty-fifth = £5,627,200; actual Irish revenue, £8,737,000). Some members of the Royal Commission made certain allowances for education grants, etc., which it would be useless to parallel now.

the Irish revenue shown as "true" is reduced by heavy deductions from the revenue as actually collected in Ireland. At p. 244 I explained that this adjustment can be regarded only as approximately correct, owing to the admittedly unreliable methods adopted by the Treasury. (*d*) That the revenue shown includes non-tax as well as tax revenue.

	Ireland.		Great Britain.	
	1893-94.	1910-11.	1893-94.	1910-11.
Population ...	4,688,000	4,381,951	38,469,000 (estimated)	40,834,790
"Collected" revenue (including non-tax revenue)	£9,650,649	£11,704,500 (mean of two years, 1910-11, 1909-10)	£88,728,428	£156,574,250 (mean of two years, 1910-11, 1909-10)
"True" revenue (including non-tax revenue)	£7,568,649	£10,082,000 (mean of two years, 1910-11, 1909-10)	£89,286,978	£155,137,250 (mean of two years, 1910-11, 1909-10)
Local Expenditure	£5,602,555	£11,844,500	£30,618,586	£60,544,000
Contribution to Imperial Services	£1,966,094	Nil (Local Expenditure in excess of "true" revenue (as averaged for years, 1910-11, 1909-10): £1,812,500	£58,668,392	£94,593,250

Irish expenditure has been rapidly overtaking Irish revenue during the last three years. In 1907-08 there was a balance available for Imperial services of £1,811,000; in 1908-09, of only £583,000; and in 1910-11, on the basis of a mean of that and the previous year, the deficit shown above of £1,312,500. The principal cause is the Old Age Pensions Vote, which began in 1908.

If all the elements of the problem be considered together, it will be seen that the fiscal partnership is as ill-matched as ever, and has produced results increasingly anomalous. Each of the partners and their united interests suffer. Ireland is still more heavily taxed relatively to Great Britain, yet Ireland's

contribution to Imperial services has been converted into a minus quantity. Why? Because Irish expenditure, paid out of the common purse, has doubled, while Irish revenue has increased by less than a third.

Let me give the final survey of Anglo-Irish finance since the Union, in the tabular form shown by Professor Oldham at the meeting of the British Association in September, 1911:

NET BALANCES PAID BY IRELAND TO GREAT BRITAIN.

Single Year.	Irish "True" Revenue.	Expenditure in Ireland.	Balance One Year.	Decadal Balance.
	£	£	£	£
1819-20	5,256,564	1,564,880	3,691,684	36,916,840
1829-30	5,502,125	1,345,549	4,156,576	41,565,760
1839-40	5,415,889	1,789,567	3,626,322	36,263,220
1849-50	4,861,465	2,247,687	2,613,778	26,137,780
1859-60	7,700,384	2,304,384	5,396,000	53,960,000
1869-70	7,426,382	2,988,122	4,488,210	44,882,100
1879-80	7,280,856	4,054,549	3,226,307	32,263,070
1889-90	7,784,678	5,057,708	2,676,970	26,769,700
1899-1900	8,664,500	6,980,000	1,684,500	16,845,000
			Averaged Balances for 90 years ...	315,603,470
			Add, Actual Balances, 1900-09 ...	16,214,000
			Net Payments, in 99 years ...	331,817,470
			Deduct Drawings, deficit of 1909-10	2,357,500
			Net Payments, in 100 years ...	329,459,970
			Add, Actual Balance, 1910-11 ...	321,000
			Net Balances paid by Ireland to Great Britain, 1809-1911	329,780,970

What has become of Sir David Barbour's argument in favour of the existing fiscal system? He admitted that Ireland was overtaxed by two millions and three-quarters. But he showed, it will be remembered, that if not only the revenue, but the expenditure and contribution to Imperial services had all been in proportion to Ireland's real taxable capacity of one-twentieth, she would have been a loser by a million.* Ireland, therefore, he argued, had certainly no grievance, while Great Britain received the substantial, though not strictly sufficient, sum of two millions as Ireland's contribution to Imperial expenses.

Let us apply the same reasoning to the present situation.

* See pp. 248-249.

Ireland, by hypothesis, is "overtaxed" by three millions,* but if not only the revenue, but the expenditure and contribution to Imperial services of Ireland were all in proportion to her real taxable capacity, which we may estimate now at one-twenty-fifth, we find that she would be a loser by five millions. Her "true" revenue from all sources *ought* on this supposition to be £6,605,900; it *is* £10,032,000. Her local expenditure *ought* to be £2,875,540; it *is* £11,344,500. Her contribution to Imperial services *ought* to be £3,730,360; it *is* a minus quantity of £1,312,500. Sir David Barbour's reasoning, then, leads us to this astounding paradox, that Ireland, while overtaxed by three millions, gains five millions by the arrangement. Moreover, whether we accept Sir David Barbour's reasoning or not, it is a fact that to-day Ireland, which contributed to Imperial services five and a half millions in 1860, and two millions in 1894, now, so far from contributing anything, costs a million and a quarter more than she brings in. This, certainly, was not a result he either anticipated or would have approved of. On the contrary, he anticipated a reduction in Irish civil expenditure, to be saved for Irish purposes, without prejudice to the Imperial contribution. It makes the brain dizzy to compare his anticipation with the reality.

How, on the other hand, stands the argument of Lord Farrer and Mr. Currie? They prophesied a great increase in Irish expenditure and the disappearance of the contribution to Imperial services. That has come true. Lord Welby (and indeed the majority of the Commission) was with them in declining to regard excessive local expenditure as a set-off to excessive and unsuitable taxation, and in condemning root and branch the system of grants, aids, and doles as wasteful in itself and as sapping the self-reliance of Irishmen. There again they were right. They were at one with all their colleagues in holding that under the Union it was impossible to differentiate between the taxation of Ireland and Great Britain, and they prescribed, as the only sound remedy, Home Rule. Once more they were right.

The figures of to-day constitute the *reductio ad absurdum* of the Union. For over a century in Ireland we have defied the laws of political economy, but they have conquered us

* See p. 259, footnote.

at last. Sound finance demands that revenue and expenditure should be co-related. Ireland's economic circumstances are widely different from those of Great Britain, but she has been included, without any regard to her needs and without any reference to Irish expenditure, in a system of taxation designed exclusively for the capacities and needs of Great Britain. Hence Irish revenue is both excessive and inadequate.

"Excessive"? "Inadequate"? What do these terms really mean? Let us once and for all clear our minds of all obscurity and look the facts in the face. No one knows what Irish revenue and expenditure ought to be, or would be, if Irishmen had controlled their own destinies. It is useless to parade immense sums as the cash equivalent of over-taxation; it is idle to array against them rival figures of over-expenditure. Normal Irish revenue and normal Irish expenditure are matters of speculation. For all we know, Ireland, had she been permitted normal political development, would be raising a larger revenue, and feeling it less; while it is absolutely certain that she would be paying her own way and contributing to Imperial services more, in proportion to her resources, than she did before the Union. The political and therefore the economic development of Ireland have been deliberately and forcibly arrested. I do not say malignantly, because there was no malignant intention. But the action, if mistaken, was deliberately and consistently sustained. Much of Irish industrial talent was lost irrevocably before the old industrial restrictions were removed. There remained the land, an immense source of potential wealth, if properly developed under a rational system of agrarian tenure. For the best part of a century after the Union, the agrarian tenure, dating from the first genuine colonization of Ireland, when the land was confiscated wholesale and the peasantry enslaved, was maintained by force of arms. Thirty years ago (if we date from the Land Act of 1881) we began to change this tenure into another equally defective, though far more favourable to the tenant. A little later, but only eight years ago, on a thorough and systematic scale, we began the parallel policy of Land Purchase. Even now, having transferred half the land to peasant ownership, and placed the other half under judicial rents, many of our statesmen are unwilling to give Ireland the control of its own

affairs. On the contrary, step by step with the economic enfranchisement of the farmers, has gone the policy of destroying their personal and political independence, and forcing them to look outside their own country for financial aid, by spending money upon Ireland which Irishmen have no direct responsibility for raising. What a travesty of statesmanship! First, having assisted the farmer to buy his own land, to clap him on the back with "Now, my fine fellow, you are a free man." In the same breath to tell him that he is not fit to have a direct voice in the management of his own country's affairs, and to try and reconcile him to this insult by sapping that very independence of character which the acquirement of a freehold has begun to instil in him.

I described in Chapter IX. how a number of patriotic Irishmen, working both at industrial and agricultural development, have striven to counteract this fatal tendency, and to persuade their countrymen to rely on themselves alone. But I venture to repeat what I said then, that without the bracing discipline of Home Rule, and, above all, of the financial Home Rule, these efforts are doomed to comparative failure.

It is absolutely necessary to produce an equilibrium between revenue and expenditure in Ireland, as in every other country in the world. Whatever the temporary strain upon Ireland, whatever the sacrifices involved, the thing must be done, and done now or never. Great Britain's interest is something, but it is trivial beside that of Ireland. The situation is growing worse, not better, and Irishmen should unite to insist that the whole system should stop.

II.

Irish Expenditure.

Let us look a little more closely at Irish expenditure, as disclosed in the Treasury returns.

For purposes of comparison, I set out first the main heads of Civil Expenditure for England, Scotland, and Ireland in the year 1910-11 :*

* Treasury Return, No. 220, 1911.

Population.	England, 36,075,269.	Scotland, 4,759,521.	Ireland, 4,381,951.
	£	£	£
Civil Government Charges, 1910-11:			
(*a*) On Consolidated Fund:			
(1) Civil List, Salaries, Pensions, and Miscellaneous Charges	340,500	148,000	188,500
(2) Development and Road Improvement Funds	—	—	—
(3) Payments to Local Taxation Accounts, etc.	7,199,500	1,204,500	1,477,500
(*b*) Voted	26,121,500	4,180,500	8,026,000
Total Civil Government Charges ...	33,661,500	5,533,000	9,642,000
Customs and Excise and Inland Revenue	8,157,000	464,000	298,000
Post Office Services	15,798,500	1,930,000	1,404,500
Total Expenditure	52,617,000	7,927,000	11,344,500
	£ s. d.	£ s. d.	£ s. d.
Per head of population	1 9 2	1 13 8½	2 11 9

The totals, if we consider relative populations, appear startling.

Look at the third, or Irish, column, and set aside the two last items, "Customs, Excise, and Inland Revenue," and "Post-Office Services," which represent the cost of collecting Irish Revenue and maintaining the Irish postal, telegraph, and telephone services. We may note in passing, however, that the Post-Office receipts in Ireland in 1910-11, according to the Treasury estimate, were less than the outgoings by £249,000 (receipts, £1,155,500; outgoings, £1,404,500).

The Civil Government Charges are the most important heads of expense, and these are divided into two main classes: (*a*) charged on Consolidated Fund; (*b*) Voted.

Class (*a*) consists of (1) Salaries, Pensions, etc.; (2) Development and Road Improvement Funds; (3) Payments to Local Taxation Accounts.

In other parts of Return No. 220 will be found the details of expenditure in these various classes:

(1) The Salaries and Pensions need not detain us long. The principal item is judicial salaries, £102,000, as compared with

£282,000 for England, which has more than eight times the population of Ireland. Another item, £20,000 for the Lord-Lieutenant, is double the sum allotted to any Colonial Governor, even of the Dominion of Canada, which has nearly twice the population of Ireland. But the extravagance lies, not in the cash amount, but in the fact that the Irish Lord-Lieutenancy is, under present conditions, an anomalous institution. No Irishman would grudge a penny of the sum if the Lord-Lieutenant, like a Colonial Governor, presided over a responsibly governed Ireland.

(2) Road Improvement and Development Funds. This category is blank for the year 1910-11. There will be payments for the current year which will swell the Irish expenditure.

(3) Payments to Local Taxation Accounts, £1,477,500. This raises an intricate subject, into which I cannot enter in great detail. It is well known that the whole system of relieving local taxation out of Imperial taxation needs thorough revision. Meanwhile Ireland, like other parts of Great Britain, has been allotted at various times a multitude of different grants under various Acts, but principally under the Local Government (Ireland) Act, 1898, and the Finance Acts of recent years.

Local Government on the British pattern was, as I have already described, extended to Ireland only in 1898. The money now raised in Ireland by Local Taxation is about £4,800,000, exclusive of the Grants in Aid which we are now considering, and which appear, rightly, on the national balance-sheet because they come from the common purse.* They are based on different principles, and originated in many different ways. Some are fixed annual sums, determined either by some arbitrary standard or (as in the case of the Licence Duty grants and the Customs and Excise grants†) on the Irish proceeds of certain duties in a year taken as standard. The Estate Duty grants still vary with the total product of duties in the United Kingdom, and are still allocated on the proportion settled by Mr. Goschen in 1888—namely, 9 parts to Ireland, 11 to Scotland, and 80 to England.‡ If the proportion were to be revised now, and, on Mr. Goschen's method, made to

* A list is given at p. 10 of Return 220 (1911), and an admirable exposition of the whole subject from the Irish standpoint will be found in Professor Oldham's seventh published lecture on the "Public Finances of Ireland" (1911).

† The "Whisky Money" was so treated under the Finance Act of 1910.

‡ See p. 288.

correspond to the respective estimated contributions to Imperial Services, Ireland, instead of getting £418,000, would get nothing at all. The largest item in the list—namely, the "Agricultural Grant," a fixed annual sum of £728,000, dating from the Local Government Act of 1898—was designed partly to reconcile Irish landlords to the passage of that Act. Nearly half of it represented the remission of the landlord's half-share of the poor-rate on agricultural land, as estimated in the standard year 1896-97. The English precedent for this was the Agricultural Rates Act of 1896, which relieved the English owner of agricultural land in a similar way. Irish conditions were so different, however, that it was felt necessary in this case to balance the landlord's boon with an equivalent boon to the tenant; so that half the tenant's share of the county cess was also remitted. The result was a disproportionately large grant as compared with those received by England and Scotland.* We must remark, as one of the minor intricacies of Irish finance, that all these grants do not actually go in relief of Local Taxation. Some of them are diverted to public Departments, such as the Board of Intermediate Education, the Congested Districts Board, and the Department of Agriculture.

All these grants will cease, as such, after Home Rule, while their amount must be reckoned as part of the cost of Irish Government. The Irish Parliament will have to revise the whole system of relief to Local Taxation and establish it on some simple and rational basis. Meanwhile, it is important to remember that the Irish grants form the major part of the Guarantee Fund set up by the Land Purchase Acts, and, until the last amending Land Act of 1909, were chargeable—the Estate Duties Grant, in the first instance, the Agricultural Grant in the second instance—with the increasingly heavy losses incurred in floating Land Stock below par. In 1908-09 the sums so withdrawn amounted to £90,000. That liability was removed by Mr. Birrell's Act, and they now remain chargeable only with any arrears in the annuities paid by the purchasing tenants. This is a negligible liability, and should properly be placed upon the Irish Government as a whole, which, if it pleased, could recover the money from localities.†

* Between 1896 and 1898 the equivalent grants to Scotland and Ireland were based on the Goschen proportion, 80, 11, 9, the English grant being taken as standard. Scotch grants are now determined by special legislation.

† See Chapter XIV.

We now reach the category (*b*) "Voted," and find in the Irish column the truly enormous sum of £8,026,000—nearly double that of Scotland (£4,180,500), which has a population slightly greater, and more than a third of that of England (£26,121,500), which has a population eight times as great.

When we search the various tables of detailed expenditure, three prominent items arrest our attention :

Constabulary and Dublin Metropolitan Police* ...	£1,464,500
Old Age Pensions	£2,408,000
Public (*i.e.*, Primary) Education	£1,632,000
	£5,504,500

Those three items may be said to epitomize the history of Ireland under the Union—coercion, pauperization, deficient education. The first two are, of course, intimately connected. The existing cost of police, surviving needlessly at the monstrous figure shown, represents the past cost of enforcing laws economically hurtful to Ireland. The economic hurt is reflected in the cost of Old Age Pensions paid to a disproportionately large number of old people, below the official standard of wealth, in a country drained by emigration for seventy years past of its strongest sons and daughters. Police in Ireland costs twice as much as in England and Scotland, where (with the exception of the London Metropolitan Police) it is a local, not a national charge, while Irish Old Age Pensions cost in 1910-11 more than twice as much as Scottish Pensions, and amounted to two-fifths of English Pensions.† With full allowance for excess payments owing to the lack of all birth records prior to a certain date, the Irish figure is relatively enormous. It is £100,000 greater than the whole cost of Irish Government in 1860, and, with the addition made in the estimates of the present year, it is just a million more than what, according to Sir David Barbour's reasoning, would have been the whole cost of Irish Government in 1893-94, had Irish expenditure, like Irish revenue, been in proportion to the taxable capacity of Ireland.

* Only part of the Dublin Metropolitan Police is paid out of State Funds, the rest by the City of Dublin.

† The relative figures were: Ireland, £2,408,000; Scotland, £1,064,000; England, £6,825,500. The recent removal of the disqualification for Poor Law Relief adds considerably to these amounts.

I touched upon the Irish aspect of the policy of Old Age Pensions at p. 181. Whatever the pecuniary charge, I suggest that it is absolutely necessary for Ireland in the future to control both payment and policy, and she might find it in her best interest, with due notice and due regard to present interests, to halve the scale of pensions. It is not a question of the general policy of Old Age Pensions, but of the applicability of a certain scale to Ireland, where agricultural wages (for example) average only 11s. 3d. as compared with 18s. 4d. for England, and 19s. 7d. for Scotland.* Of all ways of remedying a backward economic condition, that of excessive pensions is the worst.

The cost of Irish Primary Education—£1,632,000, as I pointed out in Chapter IX.—is at once too high and too low; too high in the sense that much of it is wasted owing to the lack of popular control, too low in the sense that it is a scandal to spend nearly as much on police as on the education of children, and £800,000 more on Old Age Pensions than on the education of children. If part or even the whole of the additional expense eventually necessary is raised by rates, so much the better. Accurate comparison is difficult with the English and Scottish expenditure on elementary education, because the greater part of the cost in those countries is borne by private endowments and local rates, whereas in Ireland no local rate is raised for elementary education, there are no endowments, and private subscriptions are very small.† It is certain, however, that far greater sums, in proportion to population, are spent in England and Scotland than in Ireland. This is little to be wondered at if we consider the painful history of education in Ireland; but we cannot recall the past, and, as I urged in Chapter IX., one of the first duties of a free Ireland will be to improve the education of the children.

* In the poorest parts of Ireland they range as low as 9s.

† See pp. 174-176. In 1908, England and Wales spent £21,987,004 on elementary education, and raised £10,467,804 for it in rates. Of the rest, £11,104,805 came from Parliamentary grants. Fees and endowment incomes of voluntary schools are not included (Statistical Abstract of United Kingdom, 1910).

The actual Parliamentary Votes, as they appear in the accounts for 1910-11, are: England (Class IV.), "Board of Education," £14,166,500; Scotland, "Public Education," £2,250,000; Ireland, "Public Education," £1,632,000. But the English Votes include sums devoted to technical education, museums, etc., whose counterparts in Ireland come under other departments.

The Irish vote for Universities and Colleges, £166,000, has been swelled by the recent establishment of the National University. No item in the whole list represents money better spent.

With regard to other Irish services, I shall make use, with Professor Oldham's consent, of some interesting tables compiled by him, showing the principal variations in Irish expenditure since the year 1891-92.*

They include certain expenses which I have already alluded to, and others which I shall have to remark upon further, besides giving a general view of the growth in the cost of Irish government. Neither of lists A or B is exhaustive :

A. Increases of Expenditure.

	1910-11.	1891-92.
	£	£
1. Old Age Pensions	2,406,000	—
2. Primary Education	1,682,000	843,755
3. Universities and Colleges	166,000	26,000
4. Payments to Local Taxation Account ...	1,477,500	899,260
5. Ireland Development Grant	191,500	—
6. Post Office	1,404,500	749,046
7. Cost of collecting Irish Revenue	298,000	223,362
8. Surveys of United Kingdom	81,000	47,603
9. Land Commission	414,500	91,826
10. Department of Agriculture	415,000	44,630
11. Other items (five†)	240,500	172,918
	8,728,500	2,598,400

Nos. 1 to 4 I have already dealt with, but it is interesting to note the contrasting figures of 1893-94.

No. 5. The Ireland Development Grant of £191,500 is interesting as an example of the haphazard methods of Anglo-Irish finance. It is an annual sum voted for various develop-

* Two years earlier than the date I have chiefly used for purposes of comparison, but the difference is not material. In point of fact, the expenditure was £300,000 less in the later than in the earlier year.

† (1) Rates on Government Buildings; (2) Superannuation; (3) Government Printing; (4) Board of Works; (5) Home Office.

ment purposes, and was originally established (at the figure of £185,000) in 1903 as an equivalent for the capitation grants for school attendance in England, given under the Education Act of 1902 in lieu of school fees. In allotting the Irish equivalent, Mr. Goschen's proportion of 80, 11, 9 was for the first time condemned by all parties. What the proportion ought to be was a matter of dispute, but it was fixed in this case on the basis of population. Since the English grant has now risen to £2,500,000, the Irish proportion therefore is now, strictly speaking, inadequate.

Nos. 6, 7, and 8 are examples of charges debited by the Treasury against Ireland which are open to criticism as long as the Union lasts, and which meet with much complaint in Ireland. Obviously, however, the first two at any rate are charges which an Ireland financially independent would have to bear.

No. 9. The Land Commission vote of £414,500 is of course the direct result of an abnormally bad system, necessitating abnormal and costly remedial administration. Ireland herself is not morally responsible for a penny of it, but if she is wise she will shoulder the cost as a corollary of responsible government. Small administrative economies may be made, and the cost will disappear altogether with the completion of Land Purchase, say in fifteen years, but in the immediate future no reduction can be counted on with certainty. The figure given includes the cost of the Land Commission proper, which deals with Judicial Rents and manages finance, as well as the cost of the Estates Commissioners who conduct the machinery of Land Purchase. It also includes losses on the flotation of Land Stock at a discount, and the interest and sinking-fund on the Stock raised to pay the bonus to landlords.

No. 10. The vote of £415,000 for the Department of Agriculture, whose origin and functions I described in Chapter IX., does not accurately show the actual cost of the Department, because it excludes the greater part of an Endowment Income of £166,000 a year, derived partly from the Irish Church Fund, partly from the Irish Local Taxation Account, and partly from the interest on a capital endowment of £200,000, as well as other small miscellaneous grants. But it includes a sum of about £44,000 for some museums, colleges, gardens, etc., whose English counterparts are subsidized under different votes, as

well as the sum of £144,000 for the Congested Districts Board.* Nor does this latter sum represent the full cost of the Congested Districts Board, which has also an Endowment Income from the Irish Church Fund of £41,250, a subsidy from the Ireland Development Grant, and a fluctuating income from various sources—rents, etc.

Part of the expense of the Department itself must be regarded as abnormal, in view of the extraordinarily backward economic condition of the country when it was founded. Nor, valuable as the Department's work is, can it be safely assumed that the cost is not extravagant. As long as any Department relies on an Imperial vote there can be no certainty that the expenditure will be economical. The whole cost of the Congested Districts Board is abnormal. Its very existence is evidence of the failure of external government in Ireland, and, as I urged in Chapter IX., the whole question of the treatment of the congested districts needs thorough investigation at the hands of a responsible Irish Government.

B. Reductions in Expenditure.

	1910-11.	1891-92.
	£	£
1. Relief of Distress	5,000	188,675
2. Pauper Lunatics Grant	—	111,655
3. Teachers' Pensions Grant	—	90,000
4. Railways (Ireland) Grant	61,000	841,984
5. Local Government Board	92,500	132,748
6. Chief Secretary's Offices	27,500	89,681
7. Registrar-General's Office	13,000	29,926
8. Justice and Police	2,090,500	2,129,849
	2,289,500	3,059,468

Most of these reductions are deceptive. No. 1 is the saving of an abnormal grant, Nos. 2 and 5 signify mere transfers to Grants in Aid of Local Taxation, No. 7 a transfer of duties to the Department of Agriculture.

* Department of Agriculture, Endowment Fund:

Income from { (1) Local Taxation Account £78,000
(2) Irish Church Fund £70,000
(3) Interest on Capital sum of £200,000.

Also (in 1909-10):

From Ireland Development Fund £7,000
Under an Act of 1902 ... ... £5,000

The table shows a total reduction of £769,968, while Table A shows a total increase of £6,130,000. Together they account for an increase since 1891-92 of £5,360,032.

Here is a similar table, confined to Justice and Police :

C. Expenditure on Justice and Police.

	1910-11.	1891-92.
	£	£
1. Judicial Salaries	102,000	110,244
2. Dublin Metropolitan Police	93,500	91,998
3. Royal Irish Constabulary	1,871,000	1,862,348
4. Judicial Pensions, etc.	15,000	18,656
5. Law Charges	65,500	71,977
6. Superior Courts Offices	110,500	116,851
7. County Courts Offices	109,000	112,895
8. Prisons, etc.	112,000	134,429
9. Reformatories, etc.	112,000	110,451
	2,090,500	2,129,849

To Nos. 1, 2, and 3 I have already referred. The whole charge of two millions, though it shows a slight decrease in twenty years, is grossly out of proportion to the resources of Ireland. Under heads 6 and 7 are included a number of posts which are notoriously little more than sinecures.

To sum up once more, the cost of the Irish Government as paid out of the common purse in the last completed financial year was £11,344,500, or £2 11s. 9d. per head of the population, as compared with a cost per head of £1 9s. 2d. in England, and in Scotland of £1 13s. 3½d. But this is not the minimum figure with which we have to reckon in considering the Home Rule scheme ; some items show a marked increase in the Estimates of the current year : (1) The increase in Old Age Pensions, not certain yet, will be at least £250,000. (2) The Land Commission is £544,000, as compared with £414,500. (3) Universities and Colleges, £186,256, as compared with £166,000. (4) Department of Agriculture, £426,609, as compared with £415,000. (5) Registrar-General's Office, £29,020, as compared with £13,000. (6) Valuation and Boundary Survey, £44,581, as compared with £30,000. (7) Public Works and Buildings in Ireland, £273,370, as compared with £215,000. Even with

allowance for over-estimates, especially in the last of these items,* we must anticipate an increase of nearly half a million under the above heads, to which we must add £150,000 recently allocated by the Road Board to Ireland for the year 1911-12, and £34,750 already allocated by the Development Commissioners. If Ireland comes prematurely into the National Insurance scheme, and assumes eventual financial responsibility for her share of the cost, that will be an additional source of expense ; but it is to be hoped that her leaders, in common prudence, will henceforth endeavour to stem the rising flood of Irish expenditure, and so facilitate the retrenchments imperatively necessary under Home Rule. As it is, the total outgoings of the current year (1911-12), swelled by the increases shown above, will probably amount to £12,000,000, while this total will in its turn be added to by the office costs of the Irish Legislature and the salaries of Ministers.

The scheme framed cannot assume immediate economies, and a responsible Ireland alone can decide the nature and extent of the drastic economies which must be made in the future. Beyond the brief remarks and hints made in the course of this chapter, I myself venture only to lay down the broad proposition that, to the last farthing, Irish revenue must govern and limit Irish expenditure. For any hardship entailed in achieving that aim Ireland will find superabundant compensation in the moral independence which is the foundation of national welfare. She will be sorely tempted to sell part of her freedom for a price. At whatever cost, she will be wise to resist.

If Irish revenue is to be the measure of Irish expenditure, it follows that it must be wholly, or at any rate predominately, under Irish control. Let us look a little more closely, therefore, into its amount and composition.

III.

Irish Revenue.

As I have already pointed out, in order to arrive at the present revenue of Ireland, our best course is to take the mean

* The amount *voted* for Public Works in 1910-11 was £259,848 [see "Civil Service Estimates" for 1911-12 (No. 68—1911)]; the amount *spent*, according to Return No. 220, £215,000.

tax revenue of the two years 1909-10 and 1910-11, and to add to it the non-tax revenue of 1910-11, which was, of course, unaffected by the delay in passing the Budget of 1909. For clearness, however, I first set out separately the Irish figures of these two years, distinguishing between tax revenue and non-tax revenue, and giving the "collected" revenue and the "true" revenue in different columns:

	1909-10.		1910-11.	
	Revenue as Collected.	"True."	Revenue as Collected.	"True"
TAX REVENUE.	£	£	£	£
Customs	2,742,000	2,755,000	3,103,000	2,977,000
Excise	4,487,000	2,898,000	5,826,000	3,784,000
Estate, etc., Duties ...	684,000	684,000	1,144,000	1,144,000
Stamps	293,000	315,000	326,000	351,000
Income Tax	388,000	451,000	1,825,000	2,164,000
Land Value Duties ...	—	—	1,000	1,000
Total Irish Revenue from Taxes	8,594,000	7,103,000	12,225,000	10,371,000
NON-TAX REVENUE.				
Postal Service	900,000	900,000	935,000	935,000
Telegraph Service ...	180,000	180,000	185,500	185,500
Telephone Service ...	80,000	80,000	85,000	85,000
Crown Lands	26,000	26,000	24,500	24,500
Miscellaneous	116,000	116,000	114,500	114,500
Total Irish Non-Tax Revenue	1,252,000	1,252,000	1,294,500	1,294,500
Aggregate Irish Revenue	9,846,000	8,355,000	13,519,500	11,665,500
Percentage of the Aggregate Revenue of the United Kingdom ...	7·52	6·38	6·57	5·67

On p. 276 are the details of the mean tax revenue, "collected" and "true," of the two years 1909-10, 1910-11, with the non-tax revenue of the latest year, 1910-11, added to them.

The two aggregate figures at the bottom, £11,704,500 and £10,032,000, approximately represent the Treasury estimate of the "collected" and the "true" revenue of Ireland, respec-

tively, at the present day. They are confirmed by the figures of previous years; for the average revenue of the five years, 1904-09, was as follows: "collected," £11,320,000; "true" or "contributed," £9,612,400, the new taxation of 1909-10 having added £500,000 to the "true" revenue. I must again remind the reader, however, that the figures are open to the criticism that the adjustment between the "collected" tax revenue

PRESENT IRISH REVENUE (MEAN OF THE LAST TWO YEARS).

Details of Revenue.	Mean Collected Tax Revenue of the Years 1909-10, 1910-11.	Mean "True" or "Contributed" Tax Revenue of the Years 1909-10, 1910-11.
TAX REVENUE.	£	£
Indirect Taxation — Customs	2,922,500	2,866,000
Indirect Taxation — Excise (incl. licences £284,500)	5,156,500	3,316,000
Total Indirect Taxation	8,079,000	6,182,000
Direct Taxation — Estate Duties ...	914,000	914,000
Direct Taxation — Stamps	809,500	833,000
Direct Taxation — Income Tax	1,106,500	1,807,500
Direct Taxation — Land Value Duties ...	1,000	1,000
Total Direct Taxation	2,831,000	2,555,500
Total Tax Revenue	10,410,000	8,737,500
NON-TAX REVENUE (1910-11).		
Postal Service	935,000	935,000
Telegraph Service	185,500	185,500
Telephone Service	35,000	35,000
Crown Lands	24,500	24,500
Miscellaneous	114,500	114,500
Total Non-Tax Revenue (1910-11)	1,294,500	1,294,500
	Collected Revenue at the Present Day.	"True" or "Contributed" Revenue at the Present Day.
Aggregates	11,704,500	10,032,000

and the "true" revenue is inaccurate owing to the methods employed by the Treasury. It will be observed that the resulting net deduction from the "collected" tax revenue of to-day, a deduction attributable, on the balance of the various figures, almost exclusively to Excise,* and mainly to the

Excise duty on spirits, amounts to £1,672,500, and makes all the difference between the solvency and insolvency of Ireland regarded as an independent financial unit. Her expenditure, it will be remembered, was £11,344,500, her "collected" revenue £11,704,500, leaving a surplus of £360,000, which becomes a deficit of £1,312,500 if we reckon only the "true" or "contributed" revenue of £10,032,000. On the other hand, the principle, as distinguished from the methods of adjustment, is perfectly sound if we wish to arrive at a correct idea of the financial position of Ireland. The £1,672,500 virtually represents the duties on goods exported from Ireland, and consumed in Great Britain, or rather the excess of these duties over those levied on goods exported from Great Britain and consumed in Ireland. The consumer pays the tax on dutiable commodities, and a financially independent Ireland could not raise revenue twice over from the same commodity. She would, for example, have to give a drawback from the Excise duty on spirits exported to England, since a Customs duty would be levied on its import into England. On the other hand, she would be entitled to every penny of revenue derived from the tea and sugar imported into and consumed within her borders, and to the full income tax on property held by Irishmen.

Now, for two reasons, I do not propose to make any exhaustive inquiry into the accuracy of Treasury adjustments for "true" revenue. My first reason is, that full material for calculation cannot be obtained by any private individual, and could not be obtained and worked up even by the Treasury without an enormous expenditure of time and trouble. The most careful inquiry I have seen is embodied in an exceedingly

* Under the heads of Excise, the principal deduction is in Spirits (£1,798,000 in 1910-11) and Beer (£809,000 in 1910-11).

The items of Irish tax revenue in which the Treasury make *no* adjustment are: Excise Licenses (£856,000 in 1910-11); Club Duty (£2,000 in 1910-11); "other items" (£10,000 in 1910-11); Cards and Patent Medicines (£10,000 in 1910-11); "Estate, etc., Duties" (£1,144,000 in 1910-11); Income Tax (Schedules A and B) (£694,000 in 1910-11—abnormally large figure owing to non-collection in previous year); Land Value Duties (£1,000 in 1910-11).

All the heads of Customs revenue are subject to adjustment, though the total result is only a small deduction from Ireland (£126,000 in 1910-11). In all but two the adjustment is in favour of Ireland. The two exceptions are "Foreign Spirits," where a deduction of £25,000 is made in 1910-11, and Tobacco, where a deduction of £620,000 is made in 1910-11.

able pamphlet by "an Irishman," entitled "The Financial Relations of Ireland with the Imperial Exchequer," and I mention below a few of the criticisms made by the writer. His and other investigations seem to prove that Irish revenue is considerably underestimated, perhaps by half a million.* My second reason is that errors of adjustment in either direction cannot affect in any substantial way the kind of financial scheme we are to adopt in the Home Rule Bill.

Let us fix our attention, then, on the second of the two columns in the table on p. 276, showing the aggregate "true"

* *Income Tax*, Schedules C and D (dividends from Government Stocks, public companies, foreign dividends, etc.). The Treasury estimate (as stated in a side-note to the Return) is based on statistics of *Estate Duty* for the five years ending 1908. But what light can Estate Duty throw on (for example) the dividends collected at the source from British or foreign securities held by Irish banks? Schedule C deals with "Government Stocks, etc.," Schedule D with "Public Companies, Foreign Dividends, etc.," but in the adjustment for "true" revenue no distinction is made between them. Now the Banking Statistics (Ireland) of 1910 show that dividends were payable at the Bank of Ireland on £88,732,000 of Government securities, and that, in addition, a debt bearing interest was due to the Bank from the Government of 2½ millions. Income Tax on these items alone would be £65,000, less rebates; but the whole of Schedule C, which includes Foreign and Colonial Government Stocks, is given in 1909-10 as only £30,000.

No attempt is made to credit Ireland with a share of the profits made by English and Scottish companies through business done in Ireland.

The only reliable items in Income Tax are those of A and B (Land, Houses, and Occupation of Land), where in 1908-09 Ireland contributed about 6 per cent. of the total; under other heads, according to the Treasury, only 3·5 per cent. The writer estimates the true contribution as several hundred thousand pounds more.

Post Office.—The Treasury give no clue as to how they calculate the profit and loss on Postal Services. Figures of letters, telegrams, parcels, etc., delivered in Ireland are known from the Postmaster-General's report, but the report does not distinguish Irish from English postal orders, of which 121½ millions were issued in the United Kingdom in 1909-10. There is good reason to believe that a part of the postal profit now wholly credited to England should in reality be credited to Ireland.

Stamps.—Far too little allowance is made by the Treasury for stamps on transfers executed through English and Scottish exchanges for shares bought or sold by Irishmen, and for bonds, deeds, insurances, issues of capital, etc.

Tea and Sugar.—The Treasury base their calculation "on quantities interchanged between Great Britain and Ireland in 1903-04," and I learn from the Inland Revenue Department that by this means the consumption per head of the population was arrived at, and that the present official figures are based on the assumption that the relation of consumption per head in Ireland to consumption per head in the United Kingdom as a whole has not altered since 1903-04. The unreliability of this assumption is manifest. It is probable that the heavy additional duty on spirits has raised the consumption of tea in Ireland more than in Great Britain, and the figures of Imports compiled by the Department of Agriculture seem to confirm this view.

revenue of Ireland at the present day. Disregard the non-tax revenue from the various postal services (which represents payment for services rendered, and is swallowed up by an excess on the expenditure side of £249,000), and examine the heads of tax revenue shown in the upper half of the column. It will be seen that 70·75 per cent. of Irish "true" revenue is derived from Customs and Excise duties, which, with the exception perhaps of licence duties, may be classed as indirect taxation. The deduction for "true" revenue, it will be observed, has considerably modified the proportion, which for "collected" revenue works out at 77·61 per cent., or nearly four-fifths.

As the reader is aware, this is not a new feature in Irish finance. It formed the basis of the Report of the Financial Relations Commission with regard to the over-taxation of Ireland. Much the greater part of Irish revenue, even since the abolition of protective duties and the substitution of direct taxation, has always been derived from taxes on articles of common consumption, the simple reason being that Ireland is a country where there is little accumulated wealth from which to extract direct taxation. In Great Britain, whose circumstances dictate the finance of the United Kingdom, no less than 54·79 per cent. of the tax revenue is derived from direct taxation, only 45·21 per cent. from Customs and Excise.*

The Irish figures show that to retain in the hands of the Imperial Parliament the control of Irish Customs and Excise will be to retain almost paramount control over Irish revenue; to deny Ireland the main lever she needs for co-ordinating her expenditure and her revenue, and for making her taxation suitable to her economic conditions. It will be to preserve the framework of a fiscal system which the highest financial authorities have pronounced to be unfair to Ireland, and which incontrovertible facts show to be uneconomical both for Ireland and Great Britain.

Meanwhile that system has at length produced a deficit, with which I shall deal in the next chapter. Its amount, probably exaggerated, must necessarily remain uncertain under the present fiscal Union. One thing alone is certain, that it will grow as long as that Union lasts.

* On the basis of the mean revenue of 1909-10 and 1910-11.

CHAPTER XIII

FINANCIAL INDEPENDENCE

I.

The Essence of Home Rule.

Let us now sum up this financial question, and give its place in the general problem of Home Rule. In Chapter X. I argued that, on broad grounds of political policy, Ireland, in her own interest, and in the general interest of the United Kingdom, should have "Colonial" Home Rule without representation in the Imperial Parliament. Leaving finance temporarily aside, while observing that any substantial Imperial control over Irish finance would defeat the "colonial" solution of the problem, I endeavoured to show that there were no tenable grounds of a non-financial character for retaining Irish Members at Westminster, nor any dangers to be feared from excluding them. I have now reviewed the history of Anglo-Irish finance up to the present day, and I hope in so doing to have proved that, so far from presenting an obstacle to "Colonial" Home Rule, the financial conditions demand such a solution. Finance and policy are inseparably one. All the considerations which render Home Rule desirable lead irresistibly to the financial independence of Ireland, with complete control assigned to her over all branches of taxation. Without financial independence it is impossible to realize the objects of Home Rule. It would be a miracle were the case otherwise. Ireland would, indeed, be abnormal if, after her history, she could reach prosperity and stability without passing through a phase of financial independence. No parallel, even in the most distant degree, could be found for any such metamorphosis in the whole of the British Empire.

If we study Ireland's interest, we shall promote Imperial interests. The main object of Home Rule is to make Ireland self-reliant. Lord Welby and his colleagues were right in 1896 when they declared that ideal to be impracticable without giving

Ireland entire responsibility both for her revenue and her expenditure. This declaration is as true as ever. The situation has changed only in one respect: that financial independence will now mean a financial sacrifice to Ireland, whereas in 1896 it would have meant a financial gain to Ireland—that is, if Lord Welby's recommendation in favour of remitting the Irish contribution to Imperial services had been carried out. At that time Ireland contributed two millions. Now Great Britain contributes over a million to Ireland. Sooner or later that subsidy must stop, and the sooner it stops the better.

But it is of vital importance that Ireland should understand the situation. The present position is dangerous, because the Irish people at large are ignorant of the facts, and their leaders are taking no steps to enlighten them. The reasons are intelligible, but they are not sound reasons. Faced with the facts and the choice, Ireland would not hesitate, but she must know the facts and understand the nature of the choice.

II.

The Deficit.

Let us deal at once with the question of the deficit. It is inconceivable surely that the existence of a deficit should be used as an argument against financial independence, much less as an argument against Home Rule in general. Will anyone be found to say that an island with a fertile soil, several flourishing industries, and a clever population of four and a half millions, is to be regarded, whatever its past history, as incapable of supporting a Government of its own out of its own resources? Let nobody be tempted by the fallacy that, given time, Ireland will regain financial stability under the fiscal Union, and at a later stage, perhaps, be more fitted to bear the burden of fiscal independence. The supposition is chimerical. The present system, besides being radically vicious in a purely scientific sense, undermines the moral power of Ireland to secure her own regeneration.

It is now 1911. The deficit, once a large surplus, came into being only two years ago. It was the direct and inevitable result of a fiscal Union against which Ireland has for generations

unceasingly protested, and it was a result actually foretold in 1896 by Lord Welby and his two colleagues. It could have been averted, as they pointed out, only by a form of Home Rule giving financial independence to Ireland. But the warning was older than the Report of the Financial Relations Commission. Mr. Gladstone told the House of Commons in 1886, when introducing his Home Rule Bill, that no limit could be set to Irish expenditure under the Union ; he and Sir William Harcourt repeated the warning in 1893, and if the reader will study the debates on the financial clauses of the Bill of 1893,* he will find pages of bitter diatribe founded on the small net contribution from Ireland to Imperial services for which the revised financial scheme provided. Ireland, said the Opposition, was to make money out of Great Britain, and escape her fair proportion of Imperial charges. Mr. Chamberlain showed that, with allowance for payment from the Imperial purse of part of the cost of Irish police, the net initial contribution was about one-fortieth, and asked : " Is Irish patriotism a plant of such sickly growth that it has to be watered with British gold ?" The taunt was as pointless as it was cruel, for although the Union had kept Ireland poor, Irish leaders, in spite of that poverty, had asked for a financial independence which Mr. Gladstone in neither of his Bills felt disposed to give her. Mr. Chamberlain had his way ; the Union was maintained, and as a result Ireland's actual contribution of two millions at that date has been replaced by a subsidy from Great Britain. Are we to be told now by Unionists that the Union must be maintained in order to maintain this subsidy ? or by Home Rulers that the Irish deficit is an argument for the perpetuation of the financial dependence which caused it, and an insuperable bar to the financial independence which alone can extinguish it ?

No ; let us look the facts in the face. Here is a deficit officially given as £1,312,000. It is probably less, owing to an underestimate of Irish revenue. But it may grow to be more, even with allowance for an automatic growth of revenue, owing to the increased votes of the present year, and the expenses peculiar to the establishment of the new Irish Legislature and Government. What her really healthy and normal

* Hansard, July 21 and 25, 1893.

revenue should be only Ireland herself can discover in the future. What her right expenditure should be she alone can determine. We can only work upon the data we have before us. Economy cannot be instantaneous, either in Ireland or anywhere else. Assume, then, an initial deficit in the Irish balance-sheet on the basis of present taxation. Its exact size cannot affect the manner of dealing with it. How are we to deal with it?

Let us dismiss at once the theory of "restitution" with the earnest hope that we shall hear nothing of it in the coming controversy. No Irishman will argue that a subsidy to the extent of, or exceeding the deficit, is a good thing in itself, and should be large and lasting because it will represent compensation for money unfairly exacted in the past. It is, indeed, true that the Union impoverished Ireland, but the most grievous wrong was moral, and for that wrong alone is reparation possible. Home Rule is not worth fighting for if it has not as its end and aim a self-reliant and self-supporting Ireland. Nor does it improve the argument in the least to represent the subsidy as productive expenditure for the purpose of raising Ireland's taxable capacity and improving her economic position. No money raised outside of Ireland will have that effect. Once admit the principle of restitution, and where are you to stop? What rational or scientific limit can be set to it? More pertinent question still, what are the conditions which will inevitably be imposed in exchange? Ireland cannot have it both ways. She must either hold out for financial independence or, for every financial boon, submit to a corresponding deduction from her political liberty.

If there were no alternative between financial independence without a farthing of temporary aid, and permanent financial dependence with a permanent loss of liberty, it would pay Ireland a thousandfold in the future to choose the former scheme, remodel taxation promptly to meet the initial deficit, and with equal promptitude set on foot such a drastic reduction of expenditure as would ensure the rapid attainment of a proper financial equilibrium. When once the Irish realized the issue, they would accept the responsibility with all its attendant sacrifices, which would no doubt be severe.

But there is an alternative, and that is to make good the initial deficit, whatever the financial authorities finally pronounce it to be, with an initial subsidy of equal size, or perhaps of somewhat greater size so as to admit of a small initial surplus, *but destined to diminish by stated amounts, and within a few years to terminate.* To such assistance, given unconditionally, Ireland has an unanswerable claim, and to such assistance she ought, in my opinion, to limit her claim. Until two years ago she contributed uninterruptedly, and sometimes excessively, to the support of the Empire. With men and money she has made efforts for the common weal which no self-governing Colony has made, though she has been treated, politically and financially, as not even a Crown Colony has been treated. Just at the point where the self-governing Colonies, thanks to the liberty allowed them, are beginning to contribute indirectly to the defence of the Empire, Ireland, as the ultimate result of a century of coercive government, ceases to contribute. She can claim honourably, if she wills, to be placed, by temporary financial aid from the authority which is responsible for her undoing, in the financial position of a self-governing Colony.

From the British point of view it is difficult to see any valid objection to the course suggested. There will be no stinginess in the settlement. Even if there were any disposition in that direction, it would be idle to grudge the initial subsidy, because an equivalent sum is already being paid. The Union will infallibly continue to accentuate the deficit and increase the resulting burden on the taxpayers of Great Britain. The plan proposed would eventually remove that burden. But, obviously, its success hinges on the concession of full financial powers to an Ireland unrepresented at Westminster. In their own interests, if not for very shame, Englishmen should decline to make use of the old adage, that "he who pays the piper should call the tune." For more than a century Ireland paid the piper and England called the tune—and what a tune, and with what results! Representation has nothing to do with the case. Precedents are needless, but there are, as a fact, many. Crown Colonies have frequently received free grants for the relief of distress—Jamaica and other West Indian islands, for example. The Transvaal and Orange River Colony received several millions after the war

to enable the ruined farmers to start business on a footing of solvency. During the whole period of their adolescence, and, indeed, until quite a recent date, all the self-governing Colonies were virtually subsidized by the allocation of British forces for local defence, maintained at the Imperial charge. And Ireland paid her share of this charge. Similar garrisons were, are, and will be, maintained in Ireland. Yes, but Ireland contributed to their cost, and in course of time will, it is to be hoped, resume her contributions with a gladder heart and a freer conscience than ever before.

Canada was economically stagnant under coercion. If, in her case, we had carried coercion as far as we carried it in Ireland, it would have been necessary to give her a temporary subsidy in order to enable her to assume the position of a self-governing Colony. Ireland's proximity does not alter economic laws. "Facts are stubborn things," and these are the Irish facts. Duty apart, no more profitable investment could possibly be made by the British tax-payer than a subsidy designed to enable Ireland to stand on her legs again. The present tribute to her is a dead loss.

The subsidy, if given, ought, I submit, on no account to be earmarked, on the bad precedent set by the Bills of 1886 and 1893,* for any particular head of expenditure in Ireland, as for Police, Pensions, Land Commission, or Education. As I have shown previously, nothing is easier than to pick out items of excessive expenditure, or of under-expenditure, for which Ireland is not herself responsible. But to allocate a grant specially to any of these purposes would be superfluous unless the intention were to maintain Imperial control over the service in question. As I urged in Chapter X., none of the services mentioned above ought to be retained under Imperial control. Extravagance in the first three will not be properly checked, save by a responsible Ireland. Nor will extra money on Education be properly spent until it is raised and spent by Ireland. There are no other services, with the possible exception of Posts, to which a subsidy could possibly be applicable. Even in that case an earmarked subsidy would be out of place. But Posts are outside the point we are

* Both Bills provided for part payment of the cost of Irish Police from Imperial funds.

discussing. If for mutual convenience they were to be kept under Imperial control—a step which would not render imperative Irish representation at Westminster—their finance would remain, as at present, common to the whole United Kingdom. There is officially held, on bad evidence, to be a loss on Irish Posts of £249,000, and this loss is debited against Ireland, and goes to swell the deficit we have been considering. With the Posts under Imperial control, the initial deficit to be made good by subsidy would be reduced by the amount of the loss. Should it, however, be decided that Ireland is fairly entitled to a share of the large general profit earned by the Postal Services of the United Kingdom, the annual profit so attributable to Ireland would be set off against the annual subsidy as long as the subsidy lasted, and after it was at an end would be a clear item of revenue to Ireland. My own opinion, as I stated in Chapter X., is that the Irish postal system, whether standing by itself it shows a profit or a loss, ought to be under Irish control.

III.

Future Contribution to Imperial Services.

This must be left a voluntary matter for Ireland, as it is for the self-governing Colonies. There is no contribution from Ireland at present, and to fix a future date at which a fixed contribution, like that from the Isle of Man, should begin, is a course hardly practicable even if it were desirable.

IV.

Ireland's Share of the National Debt.

Until two years ago Ireland, of course, contributed, *inter alia*, to the annual interest and sinking fund, amounting in 1910-11 to £24,554,000, on the National Debt of the United Kingdom. It is impossible to estimate her share of the capital of the Debt, and I scarcely think that anyone would seriously propose to encumber the new Ireland with an old Debt, based on some arbitrary estimate. For the great bulk

of Debt created in the past she has little moral responsibility—no more, at any rate, than the self-governing Colonies. In this respect she must begin, like them, with a clean sheet.

V.

Ireland's Share of Imperial Miscellaneous Revenue.

On the other hand, Ireland, in consideration of the remissions mentioned, must renounce the share to which she is technically entitled of the Imperial Miscellaneous Revenue, derived mainly from Suez Canal shares and the Mint, and amounting altogether in 1910-11 to £2,769,500.*

VI.

Irish Control of Customs and Excise.

Let us now come to close quarters with this important issue. The grand argument on the affirmative side is that the products of these duties represent nearly four-fifths of the tax revenue collected in Ireland. What are the objections?

We need scarcely consider the general objection, sometimes made ostensibly in the interests of Ireland, that her public men have little financial experience. The fact is true, and it is not their fault. But the financial scheme cannot reasonably be based on a recognition of a temporary lack of experience.

I place Customs and Excise together because I believe there is no serious question of making a distinction between the two, and of allowing Ireland to levy and collect her own Excise duties, while denying her authority over Customs. It is true that until 1860 such a distinction was made, and a lower Excise duty levied upon Irish than upon British spirits;† but the tendency in all modern States is to make the authority over Customs the same as that over Excise, and any departure from that principle, in the case of modern Ireland, is likely to cause considerable inconvenience. License Duties, which are included under the head of Excise, may, no doubt, without much inconvenience, be differentiated from the rest, but their Irish proceeds (£284,000) are too small to influence the question.

* Return No. 220.

† See p. 234.

Excise, then, follows Customs. What are the objections to giving Ireland, like the Isle of Man and the Channel Islands, control over her own Customs? Without doubt, the establishment of a new Customs barrier between Ireland and Great Britain is in itself a drawback. The Custom-house machinery exists, of course, at present, because Ireland is an island; nor would the additional function of checking British as well as foreign imports into Ireland cause any great increase of expense; but since the great bulk of Irish external trade is with Great Britain, there will unquestionably be a certain amount of inconvenience and expense both to Ireland and Great Britain in submitting merchandise on both sides of the Irish Channel to the passage of a Customs barrier.

That seems to be the limit to which criticism can justly go in the case of Ireland and Great Britain. That is as far as it goes in the analogous case of New Zealand and the Australian Commonwealth, where a small island State has a separate Customs system from that of a large, wealthy, and populous neighbour of the same race, and with many identical interests. That is as far as it goes in the parallel case of little Newfoundland and the great Dominion of Canada. Neither the Dominion nor the Commonwealth claim that proximity, power, and racial identity give them the right to control the trade and taxation of their small independent neighbours, nor does the smallest friction result from the mutual independence. On the contrary, both the Dominions and the Commonwealth were founded on that vital principle of a pre-existent State independence surrendered voluntarily for larger ends. The whole Empire depends on the principle of local autonomy, and, above all, on the principle of local financial autonomy. Endeavours in America to sustain the opposite theory led to disaster. We have for generations regarded it as perfectly natural that the self-governing Colonies should have Customs systems of their own, even when they are used for the purpose of imposing heavy duties on goods coming from the Mother Country, and we know that that liberty has borne fruit a hundredfold in affection and loyalty to the Imperial Government. Until the Union of Great Britain and Ireland it was regarded as equally natural that Ireland should have control of her own Customs, along with all other branches of revenue. Even after

the Union, although there was no Irish control over anything Irish, it was recognized, until the fiscal unification of the two countries in 1817, that Irish conditions required a separate Customs system, which, in fact, existed until 1826.* How fiscal unification and the subsequent abolition of separate Customs was brought about I have told in Chapter XI. It is not a pleasant story. To say the least, the conditions, moral and material, were not such as to warrant the inference that there is any inherent necessity for joint Customs between Ireland and Great Britain. The presumption raised by all subsequent events is in the opposite direction.

But the tradition of unified Customs, now nearly a century old, has immense potency, and unless it is fearlessly scrutinized and challenged, may be able, reinforced by the passions excited by the great controversy over Free Trade and Protection, to defy the warnings writ large upon the page of history. The tradition must be so challenged. Say what we will about the proximity of Ireland and Great Britain, descant as we will in law-books, pamphlets, leading articles, debates, on what ought theoretically to be the fiscal relations of the two countries, we cannot escape from the fact that, in this as in so many other respects, both the human and economic problem before us is fundamentally a colonial problem, and that its being so is not the fault of Ireland, but of Great Britain.

Belief in Home Rule seems to me necessarily to involve a willingness to give Ireland her Customs. Great Britain has no moral right to lay it down that her views about trade shall govern the course of Irish policy ; and if Great Britain believes sincerely in Home Rule, she should be willing to trust Ireland, regardless of the economic consequences, and regardless of the effect upon the great Tariff controversy.

The effect upon that controversy I shall not discuss. It seems to me to possess only a tactical and electioneering interest, and that side of the Home Rule problem I have rigidly avoided, while expressing in general terms my belief that sound policy and sound tactics in reality coincide. The Home Rule Bill is far more likely to be wrecked by timidity than by boldness, by precautions and compromises than by a fearless accommodation of British policy to Irish facts and needs.

As to the danger to Great Britain of separate Irish Customs,

* See p. 284.

it seems to me to be greatly exaggerated. Ireland's own interests will primarily dictate her action. What she will decide her interest to be, nobody can foretell with certainty beyond a limited point, because Irish public opinion is not formed. Ireland has taken little or no part in the fiscal controversy, for the simple reason that she has been absorbed in the task of getting Home Rule, and until she gets it she is precluded from formulating a trustworthy national opinion on most of the great subjects which agitate modern societies. There is, however, no tradition in favour of high Protection, even from Grattan's commercially free Parliament. The question of a low protective or purely revenue tariff on imports has not received any serious investigation. Let us frankly admit at the outset that no country in the world, economically situated as Ireland is, dispenses with a general tariff of some sort, and undoubtedly there are to-day a good many Irishmen outside political life who advocate the encouragement of infant Irish manufacturing industries by sufficient protective duties directed against Great Britain as well as against the outside world. It would be strange if there were not, in view of the distressing past history of Ireland's throttled industries, and in view of the strenuous efforts now being made by the Development Associations to push the manufacture and sale of Irish goods in all parts of the world. There are many avowed Free Traders also ; nor are the Development Associations themselves officially protectionist. The opinion is sometimes expressed that Ireland, which could easily be self-supporting in the matter of food, occupies an unhealthy position in exporting a large proportion of her own agricultural produce, butter, bacon, meat, etc., and in importing for her own consumption inferior British and foreign qualities of some of the principal foodstuffs ; but, so far as it is possible to ascertain it, the predominant opinion seems to be that an agricultural tariff would not be a good remedy for this weakness, if it be one, and that Ireland's future development, like that of Denmark, lies in the increasingly scientific organization of her agricultural industries, and in the better cultivation of her own soil. " Better farming, better business, better living," to use the admirable motto invented by Sir Horace Plunkett for the I.A.O.S. In the absence of an Irish Legislature, no special

importance can be attached to individual expressions of opinion. Yet a measure of prophecy is permissible. The Irish Legislature will have to study the national interest, and it is possible to say with certainty at least this—that Ireland's interest lies in maintaining close and friendly trade relations with Great Britain. Unfortunately, we have no means of accurately ascertaining the amount of trade done by Ireland with Great Britain and with foreign and colonial countries respectively. Irish commerce takes, of course, three forms : (*a*) Direct trade with countries outside Great Britain ; (*b*) indirect trade with these countries via Great Britain ; (*c*) direct local trade with Great Britain. The statisticians of the Irish Department of Agriculture make only an imperfect attempt to distinguish between these classes, but their figures, so far as they go, prove beyond question that the great bulk of Irish external commerce belongs to Class (*c*) — local trade with Great Britain. The total value of Irish trade in 1909 is estimated at £125,675,847, of which £63,947,155 was for imports, £61,728,692 for exports. Probably 80 per cent., at least, of this trade was strictly local. Certainly Great Britain is the market for very nearly the whole of Irish agricultural produce, and for most of her exports of linen, ships, tobacco, liquor, etc. Any aggressive action likely to provoke a tariff war would be ruinous to Ireland, while it would hurt Great Britain far less in proportion. But, in fact, both countries would suffer, Great Britain from the loss of an easily accessible food-supply of extraordinary value, not only for economic, but for strategical reasons ; Ireland from the loss of an excellent and indispensable customer.

On the other hand, whatever Ireland's trade policy may be, she certainly needs the power of fixing her own duties upon commodities like tea and sugar, which are of foreign origin, and are now merely transported to her through British ports. Taxation of this sort is a matter of the deepest concern to a country where agricultural wages average only eleven shillings a week, and which cannot reduce its exorbitant Old Age Pensions Bill without giving some compensatory relief to the classes concerned. Tobacco, of which in its manufactured forms Ireland is a considerable producer as well as a large consumer, belongs to the same category. Liquor is an important article

of production in Ireland, as well as of consumption, and the Irish Legislature ought to be able to form and carry out its own liquor policy. Ireland is just as able and willing to promote temperance as Great Britain, and just as competent to reconcile a temperance policy with due regard to producing and distributing interests.

The Customs tariff is an Irish question, not an Ulster question. The interests of the Protestant farmers of North-East Ulster are identical with those of the rest of Ireland, and obviously it will be a matter of the profoundest importance for Ireland as a whole to safeguard the interests of the shipbuilding and linen industries in the North in whatever way may seem best. The Industrial Development Associations, which are affiliated in a national organization, and are far above petty sectarian jealousies, may be trusted to see that Ireland steers a safe financial course in her trade policy.

If there is little or no danger that a Home-Ruled Ireland will commit tariff follies of her own, she has unquestionably a right to escape from further entanglement in the tariff policy of Great Britain. What may be the issue of Great Britain's great fiscal controversy nobody can foretell. But as long as a protective tariff remains the cardinal point in the constructive policy of one of the British parties, there is a strong likelihood of such a tariff, which would be uniform for the whole United Kingdom, being carried into law. Free Traders, like myself, may deplore the possibility, but we cannot shut our eyes to it. That tariff, if and when it is framed, will, like the Free Trade tariff of the past, be framed without regard to Irish interests, which are predominantly agricultural, and with exclusive regard to British interests, which are mainly industrial. Whatever may have been the original ideal of the Conservative Protectionists, however highly they may once have valued the protection of agriculture, irresistible political forces have driven them in the direction of a tariff framed mainly to secure the adhesion of the great manufacturing towns. The electoral power of these towns, the growing resentment of the working classes in most parts of the world at the increasing cost of living, the fact that Great Britain cannot under any conceivable circumstances feed her own population, have been reflected in the definite abandonment by the party leaders of

the proposed small duty against colonial imports, and in the admission by Mr. Bonar Law at Manchester, during the last General Election, that the proposed tariff would not benefit the farmers. Nor will the failure of the Reciprocity Agreement between Canada and the United States appreciably diminish the obstacles to food-taxes in the United Kingdom. Any practicable protective tariff, therefore, on the ground of its injustice to Ireland, would cause strong and legitimate resentment in that country, which is subjected to the most formidable competition from foreign and colonial foodstuffs, but whose great competitior in manufactured goods is Great Britain herself. The one Irish industry which might favour it is the linen industry of the North. It would have no attraction for the shipbuilding industry, which in no part of the British Isles has anything to gain by Protection, as I believe all parties to the controversy agree. Other small manufacturing industries would complain that they gained nothing; while the agricultural population would complain that, as consumers, they would be damaged by higher prices for clothing and other manufactured articles, while as producers they were ignored.

The difficulty is only one further proof of the dissimilarity of economic conditions between Great Britain and Ireland, and of the artificial and unnatural character of the present fiscal union. Justice to Ireland demands its dissolution. The dangers are imaginary. Liberals, however firm their belief in Free Trade, should hold, with Lord Welby and his Home Rule colleagues on the Financial Relations Commission, that "even if Ireland initiates a protective policy, in this case, as in that of the Colonies, freedom is a greater good than Free Trade." As for the Protectionists, I have never seen an argument from that source, and I do not see how any consistent or plausible argument could possibly be framed, to show that a uniform tariff for the United Kingdom could be fair to Ireland. Professor Hewins, the leading Tariff Reform economist, virtually acknowledges the impossibility in his Introduction to Miss Murray's "Commercial Relations between England and Ireland." There were two sound lines of policy, he points out, which might have been adopted towards Ireland in the period prior to the Union: (1) To have placed her on a level

of equality with the Colonies, applying the mercantile system indiscriminately and impartially to the Colonies and to her; or (2) to have aimed from the first at the financial and commercial unity of the British Isles. Neither of these courses was taken. Ireland, while kept financially and commercially separate, "was in a less favourable position than that of a Colony." With regard to the present, "Most of the difficulties of an economic character," says the Professor, "in the financial relations between England and Ireland, arise from the differences of economic structure and organization between the two countries. If Ireland were a highly organized, populous, manufacturing country, the present fiscal system would probably work out no worse than it does in the urban districts of Great Britain. But whatever be the virtues or demerits of that system, it was certainly not framed with any reference to the economic conditions which prevail in Ireland." We wait for the seemingly unavoidable political inference, but in vain. Professor Hewins is a Unionist. "A 'national' policy for Ireland . . . is never likely to be possible." Well, that is plain speaking, and the more plainly these things are said the better. Let Unionists, if they will, tell Ireland frankly that she must eternally suffer for the Union, but let them not pretend, as they do pretend, that Ireland profits by the Union.

VII.

Federal Finance.

Directly we leave the simple path of financial independence, and endeavour to construct schemes which on the one hand disguise the financial difficulties of Ireland, and on the other provide for Imperial control of Irish Customs and Excise, we involve ourselves in a tangle of difficulties. A brief examination of these schemes will throw into still stronger relief the merits of the simpler solution.

First of all, let us dispose finally of the Federal analogy. In Chapter X. I showed that the framework of Home Rule cannot be Federal, because the conditions of Federation do not exist in the United Kingdom. One of the invariable features of a Federation is the Federal control of Customs and

Excise, but I pointed out that an equally invariable condition precedent to Federation was the willingness on the part of a self-supporting State, previously possessing complete financial independence, to abandon its individual control over this realm of taxation to a Federal Government of its own choosing,* and that no such condition existed in the case of Ireland. But some features of Federal finance undoubtedly may be made to show a superficial analogy to Anglo-Irish conditions, and may therefore have an attraction for those who shrink from giving Ireland financial independence. In the first place, it is possible to find Federal precedents for the payment out of the common purse of certain large items of Irish expenditure. There is no precedent for the payment of Police, but Old Age Pensions, for example, are paid in Australia by the Commonwealth, not by the States. The chief point of interest, however, is the mechanism of Federal finance. The Australian and Canadian Federations are the only two which suggest even a remote parallel. There the subordinate States are actually "subsidized" by regular annual payments out of Federal revenues, mainly derived from Customs and Excise, and in the case of Australia, as I observed at p. 245, the process at present entails an elaborate system of bookkeeping to distinguish between the "collected" and "true" revenue of the several States, similar in kind to the calculations now made by the Treasury for ascertaining the "collected" and "true" revenue derived from Ireland, Scotland, and England.†

In Australia this system of bookkeeping is discredited, although the recent attempt by a Commonwealth Referendum to abolish both it and the financial system of which it forms a part just failed. It is to be hoped that, whatever financial scheme is adopted for Ireland, this bad colonial precedent, together with the precedent of the Home Rule Bill of 1893, will not be made pretexts for perpetuating a system whose defects are so glaring, and which is a source of continual dissatisfaction to Ireland. If Irish Customs and Excise are to

* I need scarcely point out that the newly-created Provinces of the Dominion of Canada are exceptions to this rule. But there is no analogy with Ireland. Such Provinces are carved out of newly settled public territory and given local government.

† See pp. 244-245, and 277-278.

be outside Irish control, while their proceeds are to be credited to Ireland, let her whole collected revenue from those sources be credited to her, in spite of the excessive allocation that step would involve.

Apart from this point of similarity in mechanism, the Australian and Canadian subsidies to the States and Provinces respectively are of no value as models for a Home Rule Bill. Let us examine the case of Australia. There the Commonwealth, besides having exclusive control of Customs and Excise, has general powers of taxation concurrently with the States, though in practice Commonwealth taxation is almost entirely confined to Customs and Excise. All surplus Commonwealth revenue is, by the present law, returnable to the States, and the total annual amount so returned must not be less than three-fourths of the total proceeds of Customs and Excise; so large are these proceeds, and so small, relatively, the expenses of the Commonwealth Government.* Here at the outset is a feature which places Australian Federal Finance in an altogether different category to that of the United Kingdom, where only 47·6 per cent. of the revenue is from Customs and Excise. Nor are the distributions of surplus revenue to the States really "subsidies," even in the case of the poorest States, but repayments, on a method laid down in the Constitution, of that part of the State contribution to Federal services which the Federal Government does not want. Here the system of bookkeeping is of some service to us, because it reveals, approximately, at any rate, both the contribution and the actual repayment, which is based on a calculation of the amount saved to the State by the transference of certain departments to the Federal Government, set off by a *per capita* charge for new Federal expenditure, as, for example, for Old Age Pensions (see Table on p. 297).

The great bulk of the tax revenue shown comes, as I have said, from Customs and Excise, and it is unnecessary to set out the respective figures of revenue derived from these duties.†

* Until two years ago even the remaining one-fourth, added to other small items of Commonwealth revenue, was too large for the expenditure, and a part of it was returned annually to the States.

† The other principal source of revenue is from Posts, but that is almost exactly balanced by expenditure, so that it barely affects the amount of the repayment to the States.

It will be seen, after deducting repayments from contributions, that even the poorest States make a substantial net contribution to Federal purposes. On the other hand, the relative proportion of revenue contributed by Western Australia and Tasmania is diminishing. In Western Australia it was 12·49 per cent. of the whole in 1905, 8·13 per cent. of the whole in 1909. In the same period, not only relatively, but actually, the gross contribution of Western Australia has diminished from £1,431,624 in 1905 to £1,166,126 in 1909, while the repayment to her has also diminished from £1,031,223 in 1905

CONTRIBUTIONS OF, AND REPAYMENTS TO, THE STATES OF THE AUSTRALIAN COMMONWEALTH, 1908-09.*

	Contributions to Revenue.	Repayments from Commonwealth.
	£	£
New South Wales	5,621,958	3,826,276
Victoria	3,750,161	1,987,435
Queensland	1,989,540	1,027,047
South Australia	1,807,621	716,957
Western Australia	1,166,126	627,933
Tasmania	515,387	244,747
	Total Commonwealth Revenue.	Total Repayments.
	14,850,793	7,930,395

to £627,933. Tasmania's repayment is also diminishing, though her gross contribution has increased. These circumstances suggest a slight resemblance to the growing disproportion between the resources of Ireland and Great Britain, but they do not assist us towards a solution of the Irish problem. Each Australian State, while contributing the whole of its Customs and Excise to the Federal Government, receives back at least half, and in some cases two-thirds,† and adds that sum to its own independent revenue for the maintenance of the

* These figures are taken from the Official Year-Book of the Commonwealth of Australia, No. 3, 1901-1909.

† It must be understood that the law requiring three-quarters of the Commonwealth revenue from Customs and Excise to be returned to the States does not imply that each State should have three-quarters of its contribution returned, but that the total amount returned should be at least three-quarters.

State Government. The sum refunded amounts on the average to a little below a quarter of the total State revenue—to be accurate, 23·01 per cent. Of the remaining 76·99 per cent., only 10 per cent. on the average is derived from direct taxation; 10·10 per cent. from public lands, 4·15 per cent. from miscellaneous services, and no less than 52·55 per cent. from Public Works—railways, tramways, harbours, etc.

Here are the details of revenue for 1908-1909 in the richest and the poorest State, respectively:

Particulars.	New South Wales.	Tasmania.
	£	£
Refunded by the Commonwealth	3,877,213	232,842
Taxation (direct)	907,249	250,835
Public Works and Services	7,309,062	329,192
Land	1,778,002	96,519
Miscellaneous	274,600	25,017
Totals	13,646,126	934,405

Now, Ireland raises no public revenues at all from Public Works, only £24,500 out of a total of ten millions from public lands; while 29·25 per cent. of her "true" tax revenue comes from direct taxation and 70·75 per cent. from Customs and Excise. To take away even a third of her receipts from Customs and Excise would be to leave her with a deficit of three millions and a half, which would have to be made up by additions to a direct taxation, which is already vastly higher than in any part of Australia. She needs every penny of her revenue from whatever source derived, and there is no possibility of extracting from her a contribution to Imperial services, unless it be an illusory contribution based on faked figures.

The real moral to be derived from the Australian comparison is that both Australia and Ireland are countries where accumulated wealth is comparatively small, and where the importance of indirect taxation is very great. All the more reason for giving Ireland control of her own indirect taxation. Canada, and, indeed, all the self-governing Colonies, suggest the same moral. In Canada the Federal or Dominion Parliament has an unlimited power of taxation, the Provinces being vested only with the concurrent right of direct taxation within their

respective borders (B. N. America Act, Clauses 91 and 92). In practice, nearly the whole Federal tax revenue is derived from Customs and Excise. We have no materials for a comparison of gross and net provincial contributions, because no records are compiled. Under an Act of 1907, revising the former arrangements, two small subsidies, forming a fixed charge on the gross Federal revenue, and bearing no specific proportion to the income from Customs and Excise, are given to each Province.

1. A subsidy (from £20,000 to £40,000) based on the total provincial population.

2. A payment of 80 cents per head of the provincial population.

Both together are very small by comparison with the Australian payments. Neither is really a subsidy, though it is given that name, but the return of a surplus indirectly contributed. It is, indeed, conceivable that a new and poor Province might actually contribute less than she received back. One Province, British Columbia, having long complained that she contributed far more than her share, and received back too little, obtained an exceptional grant of £20,000 under the Act of 1907.* The sums raised independently in each Province for the support of the provincial administration are, as in Australia, derived to a very slight extent from direct taxation, and to a very large extent from public property ; not, as in Australia, from railways, tramways, etc., but mainly from vast tracts of public land. In this respect the Provinces resemble the Dominion, which derives a large revenue from the same source.

In three vital points, then, Anglo-Irish finance differs from that of the Colonial Federations. Ireland's whole net income comes from taxes ; she needs it all ; and her economic conditions are totally different from those of Great Britain. So far from borrowing anything from Federal finance, we should deduce from it the moral of financial independence for Ireland. With all the powerful centripetal forces, moral and material, which originally united, and now hold together, the federated States of Australia and Canada, there is continual controversy, and sometimes considerable friction, over finance, generally in connection with the position of the poorer Provinces or

* See p. 244.

States. Some problems are still unsolved. Good authorities, among them Sir Arthur Bourinot, think that the Canadian subsidies are unsound. Australia is dissatisfied with her system. The American States, while giving up Customs and Excise, are self-supporting entities; but that system has its drawback, in Federal extravagance. We must remember, too, that even if these examples were of any use to us, the weak States or Provinces in a Federation have a greater control over Federal financial policy than Ireland could have under any scheme which reserved Customs and Excise to the Imperial Parliament; because the Federal principle, partially infringed only in the case of Canada, is to give them disproportionately high representation in the Upper Federal chamber, which can reject money Bills.*

On all counts, Ireland's position is that of a country which imperatively needs fiscal isolation similar to that enjoyed by States prior to Federation, before it can dream of embarking on the perilous sea of quasi-Federal finance. Trouble enough comes from the present joint system. We should make a clean sweep of it, permit Ireland, with a minimum of temporary assistance, to find her own financial equilibrium, and so lay the foundation, perhaps, for a genuine Federation in the future.

VIII.

Alternative Schemes of Home Rule Finance.†

Historically, these fall into two classes; though, as I shall show, they are for all intents and purposes merged in one to-day.

The two classes are—(1) The Gladstonian; (2) the "Contract."

1. *Mr. Gladstone's Schemes.*—It is unnecessary to examine these in close detail, though, if the reader cares to do so, he will find details set forth in the Appendix. Four outstanding features were common to the schemes both of 1886 and 1893: (*a*) Permanent Imperial control over the imposition of Customs and Excise; (*b*) Irish control over all other taxation;

* Except perhaps in the case of Canada.

† The Author is indebted, here and elsewhere, to papers by Messrs. C. R. Buxton, F. MacDermot, and R. C. Phillimore, in "Home Rule Problems."

(*c*) an annual Irish contribution to Imperial expenditure; (*d*) Imperial payment of part cost of the Irish Police.

With regard to (*a*), the most important point of difference in the two Bills was that under the first Ireland was credited with her whole "collected" revenue from Customs and Excise, under the second (as amended) with only her "true" revenue, which was less than the former by £1,700,000. Another point in which the two Bills differed was the permission to Ireland, under the Bill of 1893, after six years, to collect her own Excise. Both imposition and collection were wholly reserved under the Bill of 1886. I have already given grounds for the impolicy of retaining control over Customs and Excise. Let me only ask the reader, in conclusion, to figure the situation. How could Ireland frame a financial policy? Three-quarters of the revenue, as at present levied, of a country profoundly dissimilar economically from Great Britain, and in need of drastic reforms of expenditure and marked changes in taxation, would be permanently outside the reach of an Irish Chancellor of the Exchequer, and, in spite of the representation at Westminster which Imperial control would entail, would in the long-run fluctuate according to British needs and notions. In the long-run, I repeat; but incidentally there would be sharp and damaging conflicts. Occasions might occur like that of 1909, when the majority of Irishmen, rightly or wrongly, resented the form of new taxation, and would have secured the rejection of the Budget had not that step been hurtful to the prospects of Home Rule. It will be useless to blame either Ireland or Great Britain. Every country is bound to study its own circumstances. A similar crisis would have imperilled even the strongest Federation. We are not in the least concerned at the moment with the goodness or badness of that famous Budget. We are concerned with the effect on the relations of the two countries, and with the indefeasible right of Ireland and Great Britain to do what they consider best for their own interests.

With regard to (*b*), the Bill of 1893 differed from that of 1886 in the provision of a suspensory period of six years, during which all existing taxation in Ireland was to be under Imperial control, though Ireland could impose additional taxes of her own. After six years—and, under the Bill of 1886, from the outset—Ireland was to have control over all taxation

other than Customs and Excise. Where is the wisdom in selecting direct taxation as peculiarly suitable to Irish control? It is already higher in Ireland than in any country economically situated as Ireland is. Yet Ireland's power to reduce it will be very small and very difficult to use, if she is rigidly excluded from changes in the indirect taxation which presses mainly on the poor. Would she naturally be inclined to increase direct taxation? Land Value Duties produce next to nothing in Ireland, and their extension would be unpopular. The existing rates of Income-Tax and Estate Duties cannot be raised, though their incidence might be extended to cover poorer elements of the population, as, for example, the small farmers. That is a kind of measure which the farmers would, if necessary, willingly agree to, in order to balance the accounts of a financially independent Ireland, but it is not the kind of measure they would care about when their national finance was dictated by Great Britain. If one cared to make a dialectical point, one could add that a common argument against Home Rule is a fear of oppressive taxation of the rich or oppressive taxation of North-East Ulster, at the hands of an Irish Parliament, through high direct imposts. The fear is one of those which scarcely need serious discussion. If Irish statesmen were as black as their most industrious traducers paint them, they could not by any ingenuity invent any new direct tax which would not hit all the provinces equally, saving perhaps a tax on pasture ranches, which would hit North-East Ulster least; while super-taxes on the exceptionally rich, if they were worth the trouble of collecting, would drive wealth out of a poor country at the very moment when it was most urgently necessary to gain the confidence of investors and the few wealthy residents.

With regard to (*c*), Mr. Gladstone's various devices for obtaining from Ireland a contribution to Imperial services possess now only a melancholy and academical interest, because, without an elaborate manipulation of the accounts, so as to disguise their true significance, no such contribution can possibly be obtained. In 1886 Mr. Gladstone provided for an annual payment from Ireland, fixed in amount for thirty years; in 1893 for the contribution of a *quota*—namely, one-third—of her "true" annual revenue from Imperial taxes, to run for six years, and then to be revised. His calculations were

conditioned to some extent by (*d*), the part payment from the Imperial purse of the cost of Irish Police, coupled, of course, with continued Imperial control of that Police, pending its replacement by a new civil force. It is easy enough in ways like this to show a balance in Ireland's favour, and, at the same time, to cripple the responsibility of the Irish Legislature by transferring selected services from the Irish to the Imperial side of the account. We can extend the process to Old Age Pensions, the Land Commission, and what not. As I have repeatedly urged, this course is radically unsound. As for the Police, there can be no responsible government without control of the agents of law and order.

By crediting Ireland with her whole "collected" revenue, we can give her at once a balance of half a million. By freeing her from the payment of Old Age Pensions, we can make the balance three millions. With the elimination of the Land Commission and the Police, we can make it five millions. Then we can postulate an imaginary taxable capacity, an ideal contribution to Imperial services, and a hypothetical share of the National Debt, and so arrive at a Budget which will look well on paper, but which will deceive nobody, and be open to crushing criticism.

2. "*Contract*" *Finance.*—It will be seen that both Mr. Gladstone's schemes set up in Ireland—though under the Bill of 1893 only after six years—a dual system of taxation, Imperial and Irish, after the Federal model. The revenue, "collected" or "true," derived from Imperial taxes levied in Ireland, was to be paid, after the deduction of sums due to the Imperial Government on various accounts, into the Irish Exchequer. And into the same Exchequer went the proceeds of taxes levied by Ireland herself. The distinguishing feature of "Contract" finance is that it maintains the fiscal unity of the British Isles. All taxation in Ireland would be permanently levied and collected, as before, by the Imperial Parliament, Ireland being allowed only the barren and illusory privilege of levying new additional taxes of her own. Out of the Imperial Exchequer a lump sum of fixed amount, or a sum equivalent to the revenue *collected* in Ireland, would be handed over to Ireland, by contract, as it were, for the maintenance of the Administration.

The simplicity of this scheme seems to me to be its only

merit. It disposes of all complicated bookkeeping, all heart-burnings over "true" and "collected" revenue, and all controversies, for a long time at any rate, over an Irish contribution to the Empire; while it involves and immensely facilitates a subsidy based on the reservation of selected Irish services for Imperial management and payment. On the other hand, it is not Home Rule. It annihilates the responsibility of Ireland for her own fortunes, and is, indeed, altogether incompatible with what we know as responsible government. Its germ appeared in the Irish Council Bill of 1907—a Bill which did not pretend to set up anything approaching responsible government, and to which the scheme was therefore in a sense appropriate, though it must, I think, have produced mischievous results if it had been carried into law.*

I wish to speak with the utmost respect of Lord MacDonnell and the other patriotic Irishmen who have advocated this kind of financial solution. There was a time when it might have been good policy for Ireland to obtain any—even the smallest—financial powers of her own as a lever, though a very bad lever, for the attainment of more. But we ought now to make a sound and final settlement, and I do earnestly urge upon all those who have Irish interests at heart to reject schemes which merely evade, if they do not actually aggravate, some of the pressing difficulties of the Irish problem of to-day. The fact that Contract finance works well in India is *prima facie* a reason why it should not work well in Ireland. It does not exist, and it could not be made to show good results, in any community of white men. If anyone is disposed to trace a faint analogy—which in any case would be a false analogy—with the lesser of the two small subsidies given by the Dominion of Canada in aid of the Provincial administrations,† let him imagine what the moral and practical consequences would be if, instead of constituting a small fraction of the provincial income, this subsidy were increased to a lump sum calculated by the Dominion Government as correct and sufficient for the whole internal government of the Province. And the pernicious results in a Canadian Province would be

* By Clause 5 the following sums were allocated to the Irish Council for five years: (1) £3,750,000 for the maintenance of eight Government Departments; (2) £800,000 for public works; (3) £114,000 supplemental.

† See p. 299. Under the Act of 1867, No. 2 was earmarked for this purpose.

trivial beside the pernicious results in Ireland, where the whole system of expenditure and revenue needs to be recast; where large economies are needed, together with additional outlay on education; and where above all, the sense of national responsibility, deliberately stifled for centuries, needs to be evoked. Nothing could be more cruel to Ireland than to give her a fictitious financial freedom, and then to complain that she did not use it well. No nation could use freedom well under the Contract system of finance, whether based on a fixed grant or on revenue derived from Ireland. It is not in human nature to reduce expenditure unless the reduction is reflected in reduced taxation. Every official threatened with retrenchment, even in the services under Irish control and, *a fortiori*, in the services outside Irish control, would have a grievance in which the public would sympathize, while resentment at an unequal fiscal union would be unabated. Irish statesmen, like any other men in the same position, would be exposed unfairly to the continual temptation of preserving institutions and payments as they were, of making changes only of personnel, and of annually appealing to Great Britain for more money for new expenditure. These appeals could not possibly be refused. If Great Britain chooses to place Ireland in a position of financial dependence, she must take the consequences and pay the bill, as in the past, even if the bill exceeds the revenue derived from Ireland. But, indeed, under Contract finance, attempts to make Irish expenditure conform to Irish revenue would necessarily be abandoned.

Bad as the results must be, we are inexorably driven to some form of Contract finance directly we relinquish its antitype, financial independence. There is very little practical difference between the Gladstonian and later plans. We may be drawn along the downward path either by considerations of revenue, or considerations of expenditure, or by both combined. To retain Imperial control of Customs and Excise, while crediting the Irish proceeds to Ireland, is in itself equivalent to making three-quarters of Irish tax revenue take the form of an annual money grant fixed by Great Britain. If Englishmen also want to retain control over Irish Police, and Irishmen are short-sighted enough to desire Imperial control, as a corollary of Imperial payment, of Old Age Pen-

sions, National Insurance, or Land Purchase, there at once are four millions, or more than a third of present Irish expenditure, withheld from Irish authority. To cover the remaining seven millions by a Contract allowance, instead of going through the pretence of allotting items of revenue and of deducting a contribution to Imperial services, is a step which is only too likely to commend itself to harassed statesmen. But it would not be Home Rule.

This is not a matter of speculation, but of experience. As long ago as 1818, in the case of Canada, we discarded as vicious the old doctrine that a dependency ought not to be allowed to provide for the whole cost of government out of its own taxes, for fear that its Legislature would control policy. If we are going to remove features which make Ireland resemble a Crown Colony now, do not let us import others which recall the ancient fallacies of a century ago.

There remains to be considered the important question of loans, and to that I shall devote a separate chapter.

CHAPTER XIV

LAND PURCHASE FINANCE*

I. Land Purchase Loans.

The data of the land problem are as follows :

The superficial area of Ireland is 20,350,725 acres, and in 1909 it was utilized as follows :†

	Acres.	Per-centage.
Area under tillage, hay and fruit	4,582,697	22·5
Area under pasture	9,997,445	61·6
Grazed mountain land	2,543,569	
Woods, etc.	801,444	1·5
Bog, barren mountain, water, roads, townlands, etc.	2,925,570	14·4
Total	20,350,725	100·0

The agricultural area, calculated by the exclusion of the last item in the above column, works out at 17,425,155 acres, but since bog forms part of a large number of farms, we may, for the purposes of Land Purchase, place the agricultural area of Ireland at 18,739,644 acres, the figure given in the Census of 1901, and its annual value for rating purposes, as given in the same census, at £10,061,667.

This area is divided into 603,827 agricultural holdings, which are in the hands of 554,060 occupiers, and vary in size from vast pasture ranches to the tiny plots of miserable rock-sown soil, which abound in the congested districts of the west. But small holdings largely predominate. More than two-thirds do not exceed 30 acres; 153,565 are between 5 and 15 acres, and 147,580 are below 5 acres.

* Parts of this chapter have appeared in a paper by the Author in "Home Rule Problems."

† Agricultural Statistics of Ireland, 1909.

Size, however, is by itself an imperfect index to value. The effects of the ancient confiscations and of the extraordinarily unequal distribution of land which they and the bad Irish agrarian system produced may be gauged by the valuation figures of the Census of 1901, which showed that 335,491, or 68·5 per cent. of the total number of holdings had an annual value (for rating purposes) not exceeding £15, while they covered only a little more than a third of the total agricultural area ; 134,182 of these holdings were rated below £4, and covered only 1,360,000 acres.

All farms rated below £4, and a large number of those below £15, may be regarded as "uneconomic"—that is, incapable by themselves of supplying a decent living to the farmer and his family.

I shall say no more here about the legislation beginning forty years ago, which revolutionized the agrarian tenure derived directly from the Penal Code, and converted the Irish tenant into a "judicial" tenant with a rent fixed by the Land Commission, with security of tenure, and free sale of the tenant-right.* There are now in Ireland two distinct classes of occupying tenants, "judicial" tenants, and purchasing tenants, and it is upon the question of the State-aided transference of the land from the landlord to the tenant that I wish to concentrate the reader's attention.

The principle of Land Purchase is this : The State advances money, raised by a public loan, to the tenant, who pays off the landlord with it, and becomes for a fixed period the tenant of the State. During this period he pays, in lieu of rent, an annuity, which represents both interest and sinking-fund on the capital sum advanced to him. At the end of the period, which, of course, will vary with the fixed annual amount of the sinking-fund, he becomes owner in fee-simple of his farm.

There is no charity to the tenant. He borrows the money and pays it back in a perfectly regular way, and the State has made a temporary investment of a profitable character.

And now, for the last time, I must trouble the reader with a little indispensable history. There are four phases in the history of Irish Land Purchase.

1. John Bright was the first British statesman to maintain

* See pp. 10-17, 66-71.

that no healthy and lasting readjustment of the relations between landlord and tenant in Ireland could ever be made by law. He advocated State-aided purchase; and in the Church Disestablishment Act of 1869 and the Land Acts of 1870 and 1881, clauses were inserted allowing the State to advance money for Land Purchase. The conditions, however, were so onerous, both to landlord and tenant, that only 7,665 tenants out of more than half a million were able to avail themselves of these purchase clauses.

2. The Ashbourne Act of 1885 was the first successful measure of the kind. Five millions were advanced under it, and five millions more under an extending Act of 1887. Next came the Act of 1891, empowering the loan of thirty-three millions, followed by the amending and simplifying Act of 1896. These Acts form a body of legislation by themselves, of which I need refer only to a few salient characteristics. They were all alike in settling the tenant's annuity (in lieu of rent) at 4 per cent. on the purchase money, though the proportions allocated to interest and sinking-fund varied. Under the first two Acts the period for final redemption of his loan by the tenant was forty-nine years, under the third forty-two years, though this period was extended to seventy years if the tenant availed himself of decadal reductions in the annuity, proportionate to the capital paid off by the sinking-fund.

The average price of the holdings sold under these Acts represented seventeen and a half years' purchase, and the tenant's great inducement to buy was that, by the aid of cheap State credit, the annuity he paid, even over so short a period as forty-nine years, represented a reduction of more than 20 per cent. on his existing judicial rent.

Under the first Act, that of 1885, the landlord received the purchase money in cash, under the other two, in guaranteed 3 per cent. or 2¾ per cent. stock, an arrangement which suited him very well as long as Government stocks maintained the high level which they reached in the period preceding the South African War. With the heavy fall in stocks during and after the war, purchase came to a standstill. The net result of the operations under the Acts of 1885 to 1896 was that close upon twenty-four million pounds were advanced to 72,000 tenants, occupying about two and a half million acres,

out of the total of 18,739,644 acres which constitute the agricultural area of Ireland.

3. Once begun, purchase had to be continued, if for no other reason than that a purchasing tenant paid in annuity a substantially lower sum than the non-purchasing judicial tenant paid in rent, with the additional, if distant, prospect of an absolute fee-simple in the future.

Mr. Wyndham, acting on the recommendation of a friendly Conference between landlords and tenants, took the bull by the horns in 1903, and carried the great Land Act of that year. Under the Wyndham Act the system of cash payment to the landlord, dropped since 1891, was resumed, on a basis calculated to give a selling landlord a sum which, invested in gilt-edged 3 or 3½ per cent. stocks, would yield him as much as the second term judicial rents on the holdings sold, less 10 per cent., representing his former cost of collection; while the annuity payable by the tenant in lieu of rent was reduced from 4 to 3½ per cent., of which 2¾ per cent. was interest on the purchase money advanced, and ¼ per cent. was sinking-fund. This reduction involved an extension of the period of redemption from forty-nine to sixty-eight and a half years. The annuity was calculated to represent an average reduction of from 15 to 25 per cent. on second-term judicial rents. Since the gross income of the landlord was to be reduced only by 10 per cent. on a basis of 3 per cent. investments, while the annual payment by the tenant was to be reduced by an average of 20 per cent., clearly there was a gap to be filled up, and this gap was filled by a State bonus to the selling landlord of 12 per cent. on the purchase money, a bonus which went wholly to him personally, clear of all reversionary rights under settlements. A sum of twelve millions altogether was to be expended on the bonus.

In addition to direct sales between landlord and tenant through the Estates Commissioners, large powers were also given both to the Land Commission and the Congested Districts Board for the purchase and resale of certain classes of estates —land in congested districts, untenanted land, etc.

The Act was enormously popular. The landlord, in view of the manifold insecurities of land tenure in Ireland, made an excellent bargain, and the tenant, tempted by the imme-

diate transformation of his rent into an annuity of reduced amount, ignored the extension by twenty years of the period of redemption, and was willing to agree at high prices for the purchase of his land. The average price of land sold rose from the seventeen and a half years' purchase under the old Acts to over twenty years' purchase, and the soil of Ireland rapidly began to change hands. But the Act broke down on finance, as adapted to what were then estimated as the requirements of the purchase operation. The estimate for the total sum required was one hundred millions, and the purchase money was to be raised by successive issues of 2¾ per cent. Guaranteed Land Stock. Sums needed from time to time for payment of the landlord's bonus were also raised by stock, and were placed to an account known as the Land Purchase Aid Fund.

Now, any loss on flotation, due to stock being issued at a discount, was to be borne, in the first instance, by the Ireland Development Grant,* and, if and when that was exhausted, by the ratepayers of Ireland through deduction from the grants in aid of Local Taxation.† The stock, like all Government stocks at that period, fell heavily from the first, and in 1908 the point was reached when further issues would have entailed a heavy loss payable out of Irish rates, growing ultimately, as it was calculated, to an annual charge of more than half a million. The infliction of such a burden upon the ratepayers of Ireland was felt to be inequitable. Ireland was not responsible for the evils which necessitated purchase, and even if she were, the ratepayers were not the right persons to be mulcted. Meanwhile, purchase was at a complete standstill.

4. This serious situation led to Mr. Birrell's Land Act of 1909, which was based upon the Report of a Treasury Committee which sat in the previous year.‡ The problem was twofold: (*a*) how to deal with future agreements to purchase, between landlord and tenant; (*b*) how to deal with agreements to purchase pending under the Act of 1903, but as yet uncompleted.

(*a*) With regard to future agreements, there are four main points: (1) The old policy of payment in stock, instead of in cash, is reverted to, and the stock is a 3 per cent. stock.

* See p. 270-271. † See p. 267. ‡ Cd. 4005, 1908.

(2) The tenant's annuity is raised from 3¼ to 3½ per cent. (3) The period of redemption is reduced from sixty-eight and a half years to sixty-five and a half years. (4) The landlord's bonus is allocated on a graduated scale, under which the higher the price the land is sold at, the less is the bonus conferred. These changes, though no doubt somewhat prejudicial to the prospects of Land Purchase, were absolutely necessary, owing to a cause beyond human control—the condition of the money-market.

(*b*) In regard to pending purchase agreements arrived at under the old Act, no alteration is made in the terms of the bargains already concluded between landlord and tenant; but changes are made in the method of financing these agreed sales. Briefly, parties can obtain priority in treatment among the enormous mass of cases awaiting the decision of the Land Commission by agreeing to accept 2¾ per cent. stock at a price not lower than 92 per cent. (which means, at present prices, that the loss on flotation is split between the landlord and the State), or, by waiting their turn, they can obtain half the price in stock at 92, and half in cash. Payments elected to be made wholly in cash come last of all. Bonus to be paid in cash as before.

Losses caused by the flotation of stock at a discount no longer fall upon the Irish rates. Any loss not capable of being borne by the Ireland Development Grant is to be borne by the Imperial Exchequer.

Other important clauses gave compulsory powers of purchase to the Congested Districts Board, and, in the case of "congested estates" and untenanted land outside the jurisdiction of the Board, to the Estates Commissioners. Otherwise Purchase and Sale remained voluntary.

So much for the history of Land Purchase. How exactly do we stand at the present moment?

In round numbers, nearly 24 millions have actually been advanced under the old Acts prior to 1903, and up to March of this year (1911) a further sum of 42½ millions had actually been advanced under the Wyndham Act of 1903 and the Birrell Act of 1909.*

* This and subsequent figures are taken from an answer to question in the House of Commons, July 25, 1911, and from the current Reports of the Land Commission and Estates Commissioners.

That makes a total of 66½ millions actually advanced to 165,133 tenants up to March of 1911, covering the purchase of nearly 6 million acres of land, or nearly a third of the total agricultural area of Ireland. The tenants of the land are now quasi-freeholders, and will eventually be complete freeholders. In addition, agreements for the purchase of properties by 150,490 tenants, under the Wyndham and Birrell Acts, at a total price of 46½ millions, for 4½ million acres, were pending in March, 1911, though the sale and vesting were not yet completed. The properties represented by these agreements will be duly transferred in the course of the next few years, though the congestion of business is very great.

That will make a total of 113 millions advanced to 315,623 tenants for the purchase of 11 million acres under all Acts up to and including that of 1909. Now, how much more will be required? We have only one recent official estimate—that made by the Land Commission in 1908 for the Treasury Committee which sat to consider the crisis in Land Purchase. It did not pretend to give an accurate forecast, but only to estimate the maximum amount which would be needed, on the assumption that all unsold land would eventually be sold at the average price reached under the Act of 1903.* It is certain that the amount so calculated, covering as it does all classes and descriptions of agricultural land, and including land farmed by the landlord himself, as well as short-term pasture tenancies,† will considerably exceed the actual requirements. Some of the unsold land, especially of the pasture land, will never need to be sold; nor is the average purchase price likely to remain permanently as high as that obtained under the Act of 1903.

Still, this speculative estimate gives us an outside figure which is useful. The conclusion from it is that 95 millions

* Cd. 4412, 1908. The basis taken was the Poor Law valuation of the lands unsold, multiplied by the number of years purchase of the lands sold under the Act of 1903. On this basis the value of the land neither sold nor agreed to be sold in 1908 was £103,931,848. On the basis of acreage, the estimate worked out at £102,078,443, and on the basis of holdings (regarded as unreliable by the Commissioners) at £92,660,694. The total sum required from first to last, including sums already advanced under all the various Acts, was £208,866,175.

† Pasture land let on eleven months' tenancies (a common form of tenure) counts as untenanted land, and is subject to purchase by the Land Commissioners, compulsorily, if necessary.

may be required to finance all future sales initiated under the Act of 1909.

But if we want to know how much cash may be wanted, dating from March, 1911, onwards, to finance Land Purchase, we must add the 46½ millions needed for sales now agreed upon, and waiting to be carried through, but not yet completed. That brings the total to 141½ millions.

For the reasons given above, I think we might very well strike off 20 from the 95 millions of future sales, and so reduce the total to 121½ millions.

Two further questions remain to be considered: (1) Can we assume that in the future purchase will proceed smoothly? (2) Who pays for the machinery of Land Purchase, and what is the security for the money advanced?

1. The Act of 1909 is still young. At the end of March, 1911, applications had been lodged for the direct sale of 5,477 holdings at a price of £1,623,526, representing an average of 20·8 years' purchase, and negotiations were in progress for the purchase by the Congested Districts Board of estates worth another 1½ millions. Total, a little over 3 millions—a substantial amount of business in view of the artificial acceleration caused by events in 1907 and 1908, the subsequent reaction, and the enormous arrears of business still remaining to be cleared up.

We should naturally expect a slight check to purchase under the Act of 1909, since the inducement both to landlord and tenant is less. The tenant would be inclined to hold out for a lower price because his annuity is higher (though signs of this check are not yet apparent), and the landlord is paid in a stock whose market price seems to be slowly but steadily falling. It is now (November, 1911) at 86½. On the other hand, the wise change in the allocation of the bonus places a much-needed premium on sales of poor land at low prices, and reverses the process by which a wealthy landlord of good land sometimes obtained the largest reward for submission to sale.* Moreover, there is constant pressure towards purchase owing to the better financial position of the purchasing tenant over the non-purchasing or judicial tenant, while the fear in the

* But not always. Heavily mortgaged landlords profited most, perhaps, under the Act of 1903.

landlord's mind of further periodical reductions in the judicial rents tends to induce him to meet this pressure halfway.

Still, there is a point beyond which such pressure might not be strong enough to carry on voluntary Purchase, especially if the 3 per cent. stock continued to fall. Wide powers of compulsion,* covering considerably more than a third of Ireland, and including the poorest areas, where purchase is most needed, already exist under the Act of 1909. Some think that general compulsion will be needed. Other well-informed men count with confidence on completing all the necessary part of the purchase of Irish land in from twelve to fifteen years under the existing system. On the other hand, it is necessary to contemplate the possible need for universal compulsion.

2. Cost of the working of Land Purchase, and security for the money advanced. It is just as well to make these points perfectly clear, in view of the legends which obtain circulation about the "giving" of British money for the purchase of Irish land.

The cost of the Land Purchase machinery falls at present on the taxpayers of the whole United Kingdom, including, of course, those of Ireland. It amounted in 1909-10, as I showed in the last chapter, to £414,500, and for 1911 the estimate is £544,395. This sum includes the administrative cost of the Land Commission and Estates Commissioners, the temporary losses on flotation caused in financing, under the Act of 1909, the balance of agreements made under the Act of 1903, and the bonus to landlords.

The Treasury, in their returns estimating the revenue and expenditure of various parts of the United Kingdom, debit the whole of this sum against Ireland, and, moral responsibility apart, I regard it as necessary that, under Home Rule, Ireland should assume both the cost and the management of Purchase.

Apart from the annual vote I have mentioned, Land Purchase pays for itself. The security for the individual holders of the Guaranteed Land Stock by means of which the purchase money is raised is the Consolidated Fund of the United Kingdom, but the Consolidated Fund has never been called upon for a penny, either for interest or capital, and never will be.

* Only once exercised up to October, 1911: over Lord Inchiquin's estate in Clare, to be acquired for the relief of congestion.

At present the initial security of the Government which controls the Consolidated Fund—in other words, the initial security of the United Kingdom taxpayers—is the Irish rates; for the grants in aid of Irish local taxation still form a guarantee fund chargeable with the unpaid annuities of defaulting tenants, though they have escaped the liability for losses on the flotation of stock at a discount. The ultimate security is the purchased land itself; for, in the last resort, a defaulting tenant who, it must be remembered, is a State tenant, can be sold up. But the really important security is the tenant himself. The Irish tenants, treated properly, pay their debts as honestly and punctually as any other class of men in the world. Annuities in arrear are negligible. The last Report of the Land Commission shows that out of two million pounds of annuities due from 165,133 purchasing tenants, and close upon another two millions of interest (in lieu of rent) upon holdings agreed to be purchased by 150,490 tenants—a total of nearly four million pounds—only £28,084 were uncollected on March 31 last. The cases of hopeless default, leading to a sale of the land, were only fifty-four. Not a penny has actually been lost.

The State, then, or, if we choose so to put it, the United Kingdom taxpayers, are safe from loss, and make a good investment. There has never been the faintest symptom of a strike against annuities, and the only cause which could conceivably ever suggest such a strike would be the irritation provoked by a persistent refusal to grant Home Rule. Even that possibility I regard as out of the question, because there is a sanctity attaching to annuities which it would be hard to impair. Still, to speak broadly, it is true that Home Rule will improve a security already good, and that Home Rule, with financial independence, will make it absolutely impregnable.

Let me sum up.

More than half the agricultural land of Ireland is sold to the tenants, or agreed to be sold. Eleven million acres out of 18¼ million acres have changed hands, or will soon change hands; 315,623 out of 554,060 occupiers now pay annuities or interest in lieu of rent, to the amount of nearly 4 million pounds. In regard to value, out of a total value of 208 millions for the whole agricultural land of Ireland, 66½ millions have

actually been advanced for purchase, 46½ millions are due to be advanced under signed agreements; and, on the extreme estimate of the Land Commission, based on the supposition that all the remaining land will ultimately be sold, 95 millions more will have to be advanced. Total future liability on the extreme estimate, 141½ millions; or, if we take the more moderate and reasonable figure I suggested, 121½ millions.

Now, two conditions must be laid down—

1. Purchase ought to continue.
2. Cheap Imperial credit is necessary for it.

These conditions ought not to entail, beyond a strictly limited point, the continued control of Purchase by the Imperial Government. That step, as I suggested at p. 221, might involve Imperial control over (1) the Congested Districts Board; (2) the whole work of the Land Commission, outside Purchase, and all Irish land legislation; (3) the Irish police; because the power of distraint for annuities, the last resource of the creditor Government, rests, of course, with the arm of the law.

Any one of these consequences, as I have urged, would be inconsistent with responsible government in Ireland.

What are the objections to Irish control over Purchase, with its corollary, Irish payment of the running costs of Purchase? Two distinct interests have to be considered: (1) That of the British taxpayer; (2) that of the landlord.

1. If we carry out the plan I have advocated, the British taxpayer, as soon as he ceases to contribute to the diminishing subsidy suggested at p. 284 in order to meet the initial deficit in the national Irish balance-sheet, will cease to contribute anything towards the running costs, landlord's bonus, and flotation losses of a Purchase operation for the necessity of which Great Britain, in the past, was in reality responsible. Great Britain is under a moral obligation to continue to support Land Purchase with her national credit, which is indispensable. She is also entitled to demand whatever reasonable conditions she thinks fit, for example, a share in the nomination of Land and Estates Commissioners; while any new legislation will, in the ordinary course, need her assent. The security, as I said above, will be impregnable. The pur-

chasing tenant would become the tenant of the Irish State. The Irish Government, as a whole, instead of the individual annuitants, would, of course, be responsible to the Imperial Government, would collect the annuities itself, and bear any contingent loss by their non-payment. To repudiate a public obligation of that sort would be as ruinous to Ireland as the repudiation of a public debt is to any State in the world.

In point of fact, the Irish Government would find it good policy to popularize Irish Land Stock in Ireland. At present prices the 3 per cent. stock is among the cheapest and safest in the world, and would return to the farmer thrice as much interest as the average bank deposit which he now favours.

Mercifully, there is no exact historical precedent for such a case as Ireland, though, on a small scale, Prince Edward Island is an instructive parallel.* But if precedents, in the shape of guaranteed loans to self-governing Colonies, are needed, they exist. The most relevant and recent is the Imperial guaranteed loan of 35 millions made to the Transvaal by Mr. Balfour's Government in 1903 after the great war. Why it should be a heresy to do for Ireland what we did for the Transvaal, I am at a loss to conceive. The loan became, of course, an obligation of the Colony when it received Home Rule, and in 1907 a further guaranteed loan of 5 millions was authorized, of which 4 millions has been issued. Like Irish Land Stock, these loans are secured on the Consolidated Fund; but I do not think a fear is now suggested that the Consolidated Fund is in danger on that account. Prophecies of that sort were common enough in the mouths of those who opposed Transvaal Home Rule, but they did not long survive its enactment.

Another precedent is a guaranteed railway loan to Canada in 1873 of £3,600,000, which is just now becoming redeemable, while the Crown Colony of Mauritius received a guaranteed loan of £600,000 in 1892. The British and Irish taxpayers have also made themselves responsible for £9,424,000 on ac-

* See p. 75. There the loan for compulsory Land Purchase was ultimately raised by the Dominion of Canada, as one of the conditions upon which Prince Edward Island entered the Federation in 1873. Under the Land Purchase Act, passed in 1875 by the Island Legislature, with the assent of the Dominion, three Commissioners adjudicated upon the sales; representing the Island Government, the Landlords, and the Dominion Government respectively.

count of Egypt; £6,023,700 on account of Greece; and £5,000,000 on account of Turkey. The total nominal amount of the guaranteed loans to countries, colonial or foreign, outside the United Kingdom is £63,647,700. The total amount outstanding on March 31, 1911, was £59,474,200, and the Government holds securities only to the value of £4,800,556 against these liabilities, leaving the net liability of the taxpayer at £54,673,644.

The net liability of the taxpayer at the same date on account of Irish Guaranteed Land Stocks of all descriptions was £65,764,054.* Ireland has a claim to Imperial credit far superior to any of the Colonies, dependencies, or foreign Powers mentioned, and the credit should not entail control, or the representation of Ireland at Westminster.

Incidentally, it goes without saying that Ireland, in common with the Colonies, should receive the very valuable privilege of having independent loans raised by herself inscribed at the Bank of England, and made trustee securities.

2. It may be argued that the Congested Districts Board and the Land Commission, and through them Irish statesmen, may be subjected to local pressure hostile to the landlord's interests, and that the Irish Government would feel itself more free for social and other reforms if the land question were placed legally outside their purview. My answer is, in the first place, that Great Britain would cease to lend if her conditions were unfulfilled; in the second place, that in this, as in all matters, we are bound to place faith in the self-respect and sense of justice of a free Ireland—in its common prudence, too; for it would be a disaster whose magnitude is universally recognized in Ireland if any course were to be taken which prevented the landlord class from joining in the great work of making a new Ireland. Fair treatment of the landlords by a free Ireland, as distinguished from fair treatment at the hands of an external authority, would do more than anything else to bring about a reconciliation. That is human nature all the world over.

II. Minor Loans to Ireland.

It remains only to refer briefly to two other cases where Ireland benefits from Imperial credit.

(1) The Labourers (Ireland) Act of 1906 sanctioned the

* Finance accounts of the United Kingdom, 1911.

advance of money through the Land Commission to Rural Councils for building labourers' cottages—a class of loans previously made by the Public Works Commissioners of Ireland. £3,111,816 had been advanced under this head on March 31, 1911, and £1,138,184 had been applied for. The money is raised by guaranteed 2¾ per cent. stock in the same way as the money for Land Purchase.

(2) In addition, there are the loans granted by the Irish Commissioners of Public Works. In their capacity as lenders, which is only one of a multitude of capacities, the Commissioners are really a subordinate branch of the Treasury, and fulfil the same function as the Public Works Loans Commissioners in Great Britain. They lend principally to local authorities for all manner of public works and public health requirements, also to private individuals, mainly for the improvement of land, and, to a small extent, to Arterial Drainage Boards and to railways. They get their money from the National Debt Commissioners, and in 1909-10 issued loans to the amount of £293,233—a figure which shows a considerable reduction on that of the previous two years.* The total amount of 35,000 outstanding loans on March 31, 1910, was £9,608,110, of which between two-thirds and three-quarters were due from local authorities. The interest varies, as in Great Britain, from 2¾ to 5 per cent., according to the nature of the security, and in 1909-10 averaged £3 10s. 6d. Most of the loans are secured on local rates, where the interest payable is either 3½ or 3¾ per cent., according to the period of the loan; others on undertakings such as harbours; and others on the land for the improvement of which the money is borrowed.

Here, then, are two small and secondary problems. Under Home Rule Ireland will have no claim to further Imperial credit for loans of either of the above classes. On the other hand, there is no reason why the Treasury, if it pleases, and on its own terms, should not lend as before, though not directly, as it virtually does now, but indirectly, by loan to the Irish Government. The security will be just as good, and probably better. If a negligent

* Report of the Commissioners of Public Works, 1910. The amount in 1907-08 was £434,796; in 1908-09, £861,282. The Commissioners have been lending since 1819, and have lent since that date £48,792,319.

Local Government Board under Irish control sanctions reckless loans by local authorities, and a negligent Irish Government advances for such loans money borrowed from Great Britain, the Irish Treasury will suffer. Such eventualities need not seriously be considered. The analogy with the Transvaal and Canada loans, which were mainly for public works, is very close.

CHAPTER XV

THE IRISH CONSTITUTION *

I HAVE dealt with the major issues of Home Rule. The exclusion or retention of Irish Members at Westminster, and the powers—above all, the financial powers—of the Irish State, are the two points of cardinal importance. As I have shown, they are inseparably connected, and form, in reality, one great question.

I have endeavoured to prove that from whatever angle we approach that central issue, whether we argue from representation to powers, or from powers to representation, and whether the particular powers we argue from be financial, legislative, or executive; whether we place Irish, British, or Imperial interests in the forefront of our exposition—we are led irresistibly to the colonial solution—that is, to the cessation of Irish representation at Westminster, coupled with a concession to Ireland of the full legislative and executive authority appropriate to that measure of independence, and, above all, with fiscal autonomy.

All the other provisions of the Bill are secondary. They may be divided into two categories, which necessarily overlap:

1. Provisions concerning Ireland only.
2. Provisions defining the Imperial authority over Ireland.

The structure of the Irish Legislature, the position of the Irish Judiciary, the safeguards for minorities, the provision made for existing servants of the State, the statutory arrangements, if any, for the future reorganization of the Irish Police—these and other questions are of great intrinsic importance, and need the most careful discussion; but they are altogether subordinate to those we have already considered. If it be over-sanguine to hope, in Ireland's interest, that they will be discussed in a calm and dispassionate way, we can at least

* For details of prior Home Rule Bills, see the Appendix.

demand that those provisions belonging to the second category, which present no appreciable difficulty, will not excite bitter and barren disputes like those of 1893.

It is not within the scope of this volume to discuss exhaustively the secondary provisions of the Bill, or to suggest the exact statutory form which those provisions, major or minor, should take. In this chapter I shall deal briefly with matters which I have hitherto left aside, and incidentally give more precision to the points upon which I have already suggested a conclusion, in both cases indicating, so far as possible, the most useful precedents and parallels from other Constitutions. The result will be the rough sketch of a Home Rule Bill.

Preamble.

"Whereas it is expedient that *without impairing or restricting the supreme authority of Parliament*, an Irish Legislature should be created, etc." So ran the opening sentence of the Home Rule Bill of 1893. The words I have italicized are harmless but superfluous. They have never appeared in the Constitutions granted to Colonies, even at periods when the Colonies were most distrusted. Nothing can impair the supreme authority of Parliament.

Executive Authority.

In all parts of the Empire, power emanates from the Sovereign, and is wielded locally in his name.

Section 9 of the British North America Act of 1867 runs as follows: "The Executive Government and authority of and over Canada is hereby declared to continue and be vested in the Queen." Similar words are used in the South Africa Act of 1909, and in the Commonwealth of Australia Constitution Act of 1900. Curiously enough, these were Acts to legalize the Federation, or Union, of separate Colonies, and were passed at a time when the principle embodied needed no affirmation. In earlier Acts for granting Colonial Constitutions, the principle was taken for granted, and implied in numerous provisions, but not stated explicitly. The most recent unitary Constitution, that of the Transvaal (Section 47),

was even more reticent, though the principle was none the less clear. The point is unimportant, and the words used in the Home Rule Bills of 1886 and 1893 (Clauses 5 and 7 respectively), modified to meet a change of Sovereign, will serve very well: "The Executive power in Ireland (or the Executive Government of Ireland) shall continue vested in His Majesty. . . ."

Thereon follow the provisions for delegation of the Royal authority, first to the Sovereign's personal Representative in Ireland, and then through him to the members of the Irish Executive. The simpler these provisions are, the better. What we know as responsible government has never been defined in any Act of Parliament. The phrase "responsible government" has only once appeared in any Constitution — namely, in the preamble of the Transvaal Constitution granted in 1906, and even then no attempt was made at definition, though certain sections, like certain sections in the Australian Constitutions of 1855 and in the later Federal Acts, inferentially suggested features of responsible government.

The system is two-sided. Ministers are responsible on the one hand to the King direct, as in Great Britain, or to the King's Representative, as in the Colonies, and, on the other hand, to the elected Legislature. Ireland will resemble a Colony in being a dependent State under a Representative of the King—namely, the Lord-Lieutenant. This personage, corresponding to the Colonial Governor, will also have to act in a dual capacity. On the one hand he will be responsible to the King, or, virtually, to the British Cabinet, and, on the other hand, he will be bound by an unwritten law to nominate for the Government of Ireland persons acceptable to the elected Legislature, and in Irish matters to act by their advice in all normal circumstances.

Let us dispose first of the relation of the Ministers and of other public officials to the Legislature. There will be no question, presumably, of giving statutory power to this relation. It is an unwritten custom—(1) that Ministers must be members of one branch of the Legislature; (2) that they must hold the confidence of the elected branch; (3) that, as a Cabinet, they stand or fall together; and, lastly, (4) that all non-political officials are excluded from the Legislature. The first and the

last of these conventions have taken legal form in some isolated cases ;* the other two appear in no statute that has yet been framed.†

Neither have the functions in practice exercised by the Ministry or Cabinet, nor the relations which in practice exist between it and the King's Representative, ever had statutory definition. Whatever form the Home Rule Bill takes, it cannot give legal precision to these things. The King's Representative always nominates an Executive Council—that is, a Cabinet to "advise" him in the Government, and whether, as in the Bill of 1893, that Council is called an Executive Committee of the Privy Council of Ireland by analogy with the Dominion of Canada, where it is the "King's Privy Council for Canada," or whether it is merely an Executive Council is immaterial. That it is, nominally, the constitutional duty of the King's Representative (like that of the King himself) to perform executive acts on the advice of his Ministers is never stated expressly. He is always, and generally in the text of the Constitution, vested with the power of summoning, proroguing, and dissolving the Legislature, and of giving or withholding the Royal Assent to Bills. He also, by unwritten law, wields the prerogative of Pardon, and appoints all public servants ; and in all these cases, except in the case of appointing non-political officials, he occasionally has to act on his own personal responsibility.

This personal responsibility cannot be distinguished in practice from his responsibility to the Crown, which appoints and can remove him. Cases have arisen where the Governor of a self-governing Colony has written home for special guidance on some specific point, and where the answer given has been that he must act on his own responsibility, or follow the advice of his Ministers. All Colonial Governors, however, whether or not their powers are defined in the Constitution,

* The Victorian and South Australian Constitutions of 1855 state in clear terms that the Ministry must be members of the Legislature, and all the Australian Constitutions of the same date, except that of Tasmania, formally exclude all other officials from the Legislature. The Transvaal Constitution of 1906 made no reference to either point ; nor do the Federating Acts of 1867, 1900, and 1909 for Canada, Australia, and South Africa.

† A fifth custom, very common, of compelling new Ministers to seek re-election is incorporated in most of the Australian Constitutions, but was expressly ruled out in Section 47 of the Transvaal Constitution of 1906.

are appointed by Commission from the Crown with powers defined in Letters Patent and Instructions as to their exercise. These Letters Patent and Instructions are not of much importance in the case of a self-governing Colony where responsible advice so largely controls the action of the Governor. Sometimes the executive powers given by Instructions to the Governor are indirectly alluded to in the Constitution, as in the South Africa Act of 1909, where, by Clause 9, under the head of "Executive Government," the Governor-General is "to exercise such powers and functions of the King as His Majesty may be pleased to assign to him." In the Australian and Canadian Acts of 1900 and 1867 respectively, the words do not appear. I name this point because in Clause 5 of the Home Rule Bill of 1893, and Clause 7 of the Bill of 1886, a similar course was taken in providing that the Lord-Lieutenant should "exercise any prerogatives, or other executive power of the Queen, the exercise of which may be delegated to him by Her Majesty." The words are not strictly necessary. The Lord-Lieutenant will, of course, have his Letters Patent and Instructions, but the powers of the Crown are theoretically absolute. If the Crown, acting under responsible British advice, should wish to defy the Irish Legislature, it could do so whatever the terms of the Bill.

Naturally, there will be certain Imperial and non-Irish matters in which the Lord-Lieutenant will act primarily under the orders of the British Cabinet, and the Departmental British Minister primarily responsible for Irish-Imperial matters would be the Home Secretary.*

The question may be raised, as in 1893 (July 3, Hansard), whether a staff of Imperial officials ought not to be set up to conduct any Imperial business which has to be done in Ireland, on the analogy of the Federal staff in the United States. I hope Mr. Gladstone's answer will still hold good—that no such staff is needed; that the Irish officials will be responsible, and ought, on the Home Rule principle, to be trusted, as they are trusted in the Colonies.

The Royal Assent to Bills is always a matter for express enactment in the Constitution, but here the "instructions" of the Governor, and even his personal "discretion," have

* See Hansard, July 3, 1893, Speech of Mr. John Morley.

generally been alluded to in recent Constitutions, whether conferred by Act or Letters Patent. The typical form of words is that the Governor "shall declare his Assent according to his discretion, but subject to His Majesty's instructions.* The Home Rule Bill of 1893 left out reference to "discretion," and, on the other hand, is, I think, the only document of the kind in which the "advice of the Executive Council" has ever been expressly alluded to, although the practice, of course, is that the Assent, normally, is given or withheld on that advice. The Transvaal Constitution of 1906 (Section 39) was unique in prescribing that special instructions must be received by the Governor in the case of each proposed law, before the Assent is given. I hope that will not be made a precedent for Ireland. Such precautions only irritate the law-makers, and serve no useful purpose.

Colonial Governors, besides the power of Assent and Veto, may "reserve" Bills for the Royal pleasure, which is to be signified within two years. Moreover, Bills which have received the Governor's Assent may be disallowed within one or two years.† Neither of these provisions appeared in the Home Rule Bills of 1886 and 1893, and neither appear to be strictly necessary, owing to the proximity of Ireland. Whatever is done, we may hope that the practice now established in Canada, where the Federal Government never disallows a provincial law on any other ground than that it is *ultra vires*, and, *a fortiori*, the similar practice as between Great Britain and the Dominions, may be imitated in the case of Ireland.

To sum up, the terse and simple words of the Bill of 1886 really enunciate all that is necessary:

Constitution of the Executive Authority.

"7.—(1) The Executive Government of Ireland shall continue vested in (Her) Majesty, and shall be carried on by the Lord-Lieutenant on behalf of (Her) Majesty with the aid of such officers and such council as to Her Majesty may from time to time seem fit.

"(2) Subject to any instructions which may from time to time be given by (Her) Majesty, the Lord-Lieutenant shall give or withhold the assent of (Her)

* The words "subject to this Constitution" or "subject to this Act" are sometimes added, but have no special significance. The Australian Commonwealth Constitution Act does not mention the Governor's "instructions," but only his "discretion."

† British North America Act, 1867, Sects. 55-57; Commonwealth of Australia Constitution Act, 1900, Sects. 58-60.

Majesty to Bills passed by the Irish Legislative Body, and shall exercise the prerogatives of (Her) Majesty in respect of the summoning, proroguing, and dissolving of the Irish Legislative Body, and any prerogatives the exercise of which may be delegated to him by (Her) Majesty."

Lord-Lieutenant and Civil List.

The restriction as to the religion of the Lord-Lieutenant will, of course, be removed. There is no reason why his term of office should be limited by law. His salary, payable by Ireland, should perhaps be stated in the Act, as in the case of Canada and South Africa, though not in that of Australia. Australia, on the other hand, has a statutory Civil List, and a fixed Civil List was an invariable feature of the old Constitutions given to self-governing Colonies. Canada and South Africa are under no such restrictions, and it would be very inexpedient to impose them upon Ireland.

Legislative Authority.

The Irish Legislature will be given power, according to the historic phrase, "to make laws for the peace, order, and good government of Ireland," subject to restrictions afterwards named. That the laws should be only "in respect of matters exclusively relating to Ireland or some part thereof" goes without saying, and need not be copied from the Bill of 1893 (Clause 2). Nor need the superfluous proviso in the same clause be reproduced, asserting the "supreme power and authority of the Parliament of the United Kingdom." The supreme power becomes none the more supreme for such assertions. Clause 2 of the Bill of 1886 is simple and decisive:

"2. With the exceptions of and subject to the restrictions in this Act mentioned, it shall be lawful for (Her) Majesty (the Queen), by and with the advice of the Irish Legislative Body, to make laws for the peace, order, and good government of Ireland, and by any such law to alter and repeal any law in Ireland."

With the restrictions on the powers of the Legislature I dealt fully enough in Chapter X.,* and I need only summarize my conclusions:

* See especially pp. 218-229.

1. *Reservations of Imperial Authority.*—The Irish Legislature should *not* have power to make laws upon—

The Crown or a Regency.
Making of War or Peace.
Prize and Booty of War.
Army or Navy.
Foreign Relations and Treaties (excepting Commercial Treaties).
Conduct as Neutrals.
Titles and Dignities.
Extradition.
Treason.
Coinage.
Naturalization and Alienage.

Reservation of the nine subjects included in the bracket is implied, without enactment, in all colonial Constitutions, but in the Irish Bill it is no doubt necessary that all reserved powers should be formally specified.

All powers not specifically reserved will belong to the Irish Legislature, subject to those restrictions, constitutional or statutory, which in matters like Trade and Navigation, Copyright, Patents, etc., bind the whole Empire.

Section 32 of the Bill of 1893, borrowed from the Colonial Laws Validity Act, will no doubt be applied.

2. *Minority Safeguards.*—This point, too, I dealt with in Chapter X.* Let the Nationalist Members come forward and frankly accept any prohibitory clauses which the fears of the minority may suggest, provided that they do not impair the ordinary legislative power which every efficient Legislature must enjoy. Almost every conceivable safeguard for the protection of religion, denominational education, and civil rights was inserted in the Bill of 1893, including even some of the "slavery" Amendments to the United States Constitution. The list may require revision—(*a*) in view of the recent establishment of the National University, and the disappearances of all apprehension about the status of Trinity College, Dublin; (*b*) in regard to an extraordinarily wide Sub-clause (No. 9) about interference with Corporations; (*c*) in regard to the

* See pp. 223-225.

words, "in accordance with settled principles and precedents," which appeared in Sub-clause (No. 8) (Legislature to make no law "Whereby any person may be deprived of life, liberty, or property without due process of law* *in accordance with settled principles and precedents*," etc.). A debate on this question may be found in Hansard, May 30, 1893. The words italicized were added in Committee on the motion of Mr. Gerald Balfour, though the Attorney-General declared that they gave no additional strength to the phrase "due process of law," while they certainly appear calculated to provoke litigation. Sir Henry James appeared to think that they made the suspension of the Habeas Corpus Act *ultra vires*. If that is their effect, there is no reason why they should be inserted. Even a Canadian Province, whose powers are more limited than those of the subordinate States in any other Federation, has "exclusive" powers within its own borders over "property and civil rights,"† and can, beyond any doubt, suspend the Habeas Corpus Act, if it pleases.

The same superfluous words appeared in Sub-clause (No. 9) about Corporations.

The Irish Legislature.‡

As I urged in Chapter X., this is a subject in which large powers of constitutional revision—much larger than those contained in either of the Home Rule Bills—should be given to the Irish Legislature itself, corresponding to the powers given by statute to the self-governing Colonies, and to the powers always held by the constituent States of a Federation. In the Bill itself it would be wisest to follow beaten tracks as far as possible, and not to embark on experiments. Present conditions are, unhappily, very unfavourable for the elaboration of any scheme ideally fit for Ireland.

* Taken from Amendment XIV. to the United States Constitution, passed July 28, 1866.

† British North America Act, 1867, Sect. 92 (13). But the Province may not encroach on powers reserved to the Dominion—*e.g.*, in bankruptcy (Cushing *v.* Depuy [before Jud. Comm. of Privy Council]). See the "Constitution of Canada," J. E. C. Munro, pp. 247-253. There has been much litigation over points where Dominion and Federal powers overlapped. (See "Federations and Unions of the British Empire," H. E. Egerton, pp. 151-153).

‡ For the proposals of the Bills of 1886 and 1893, see Appendix.

A Bi-Cameral Legislature.—Working on this principle, we must affirm that Ireland's position, without representation in the Imperial Parliament, would certainly make a Second Chamber requisite. Three of the Provinces within the Federation of Canada (Manitoba, British Columbia, and Ontario) prefer to do without Second Chambers—so do most of the Swiss Cantons—but all the Federal Legislatures of the world are bi-cameral, and all the unitary Constitutions of self-governing Colonies have been, or are, bi-cameral.

The Upper Chamber.—One simple course would be to constitute the Upper Chamber of a limited number of Irish Peers, chosen by the whole of their number, as they are chosen at present for representation in the House of Lords. Historical and practical considerations render this course out of the question, though some people would be fairly sanguine about the success of such a body in commanding confidence, on the indispensable condition that all representation at Westminster were to cease. It has been membership, before the Union of an ascendency Parliament, and after the Union of an absentee Parliament, which has kept the bulk of the Irish peerage in violent hostility to the bulk of the Irish people. Those Peers who seek and obtain a career in an Irish popular Legislature—to both branches of which they will, of course, be eligible—will be able to do valuable service to their country. The same applies to all landlords. Now that land reform is converting Ireland itself into a nation of small landholders, who, in most countries, are very Conservative in tendency, the ancient cleavage is likely to disappear. Indeed, an ideal Second Chamber ought perhaps to give special weight to urban and industrial interests, while aiming, not at an obstructive, but at a revising body of steady, moderate, highly-educated business men.

We have to choose one of two alternatives: a nominated or an elective chamber. The choice is difficult, for second chambers all over the world may be said to be on their trial. On the other hand, nothing vital depends upon the choice, for experience proves that countries can flourish equally under every imaginable variety of second chamber, provided that means exist for enabling popular wishes, in the long-run, to prevail. The European and American examples

are of little use to us, and the widely varied types within the Empire admit of no sure inferences. Allowance must be made for the effect of the Referendum wherever it exists (as in Australia and Switzerland), as a force tending to weaken both Chambers, but especially the Upper Chamber of a Legislature. It does, indeed, seem to be generally admitted, even by Canadians, that the nominated Senate of the Dominion of Canada, which is added to on strict party principles by successive Governments, is not a success, and it was so regarded by the Australian Colonies when they entered upon Federation, and set up an elective Senate. The South African statesmen, who had to reckon with racial divisions similar to those in Ireland, compromised with a Senate partly nominated, partly elected, but made the whole arrangement revisable in ten years.*

It would be desirable, perhaps, on similar grounds of immediate policy, to let those who now represent the minority in Ireland have a deciding voice in the matter. No arrangement made otherwise than by a free Ireland herself can be regarded as final, and I suggest only that a nominated Chamber would be the best expedient at the outset, or in the alternative a partly nominated, partly elected Chamber.

If and in so far as the Upper Chamber is elective, should election be direct or indirect? There is a somewhat attractive Irish precedent for indirect election, namely, the present highly successful Department of Agriculture, whose Council and Boards the County Councils have a share in constituting,† and I have seen and admired a most ingenious scheme of Irish manufacture for constructing the whole Irish Legislature and Ministry on this principle. But the objections appear to be considerable. Local bodies in the future should not be mixed up in national politics. That has been their bane in the past. Besides, the principle of indirect election is under a cloud everywhere, most of all in the United States. Australia rejected it in 1900, and the South Africans, while giving it partial recognition in the Senate, made the expedient provisional.

The Lower House.—The Lower House might very well be elected on the same franchise and from the same constituencies as at present, subject to any small redistributional modifica-

* South Africa Act, 1909, Sects. 24 and 25. † See pp. 155-162.

tions necessitated by changes of population. This is certainly a matter which Ireland should have full power to settle for itself subsequently.

Lord Courtney's proposals for Proportional Representation* merit close consideration and possess great attractions, especially in view of their very favourable reception from Nationalists in Ireland. My own feeling is that such novel proposals may overload a Bill which, however simply it be framed, will provoke very long and very warm discussion. If the system were to be regarded by the present minority as a real safeguard for their interests, its establishment, on tactical grounds alone, would be worth any expenditure of time and trouble; but, if they accept the assumption that existing parties in Ireland are going to be stereotyped under Home Rule, and then point to the paucity of Unionists in all parts of Ireland but the north-east of Ulster, they can demonstrate that no *practicable* enlargement of constituencies could seriously influence the results of an election. My own view, already expressed, is that, provided we give Ireland sufficient freedom, wholly new parties must, within a short time, inevitably be formed in Ireland, and the old barriers of race and religion be broken down, and, therefore, that all expedients devised on the contrary hypothesis will eventually prove to be needless and might even prove unpopular and inconvenient. On the other hand, merits are claimed, with a great show of reason, for Proportional Representation, which are altogether independent of the protection of minorities from oppression. It is claimed that the system brings forward moderate men of all shades of opinion, checks party animus, and steadies the policy of the State. But I think that a free Ireland should be the judge of these merits. At present the bulk of the people do not understand the subject, and need much education before they can appreciate the issue.

Meanwhile, the conventional party system, based on conventional constituencies, will, to say the least, do no more harm to Ireland than to any other State in the Empire. Any minor defects will be infinitesimal beside the vast and beneficial change wrought by responsible government.

* See Pamphlet No. 17, published by Proportional Representation Society, and an excellent paper by Mr. J. F. Williams in "Home Rule Problems."

Disagreement between the two Houses.

It is essential to provide for this, and it would be difficult to better the proposal in the Bill of 1893 : that after two years, or an intervening dissolution, the question should be decided by a joint vote in joint session.

Money Bills and Resolutions.

To originate in the Lower House on the motion of a Minister.

Police.

The Royal Irish Constabulary and Dublin Metropolitan Police should be under Irish control from the first. The former force will undoubtedly have to be reconstituted, and its reconstitution, as an ordinary Civil Police, ought to be undertaken by the Irish Government, but the financial interests of "retrenched" officers and men should be safeguarded in the Bill itself.

Judges.

All future appointments should be made by the Irish Government, without the suspensory period of six years named in the Bill of 1893. Present Irish Judges should retain their appointments, as in both previous Bills. The precedent of Canada, where provincial Judges, unlike the State Judges of Australia, are appointed and paid by the Federal Government, is certainly not relevant.

Law Courts.

The Federal analogy, except in one particular noticed under the next heading, has no application to Ireland. Only one provision of any importance is needed, namely, that Appeals, in the last resort, should be to the Judicial Committee of the Privy Council instead of to the House of Lords. The Judicial

Committee is the final Court of Appeal for the whole Empire, and, strengthened by one or more Irish Judges, should hear Irish Appeals. It is true that the tribunal has been subjected to some criticism lately, especially from Australia. Federal States naturally wish to secure pre-eminent authority for their own Supreme Courts. But the tribunal is, on the whole, popular with the colonial democracies, and the argument from distance and expense does not apply to Ireland. At the end of an interesting discussion at the last Imperial Conference, in which suggestions were put forward for strengthening the Judicial Committee by Colonial Judges, it was agreed that new proposals should be made by the Imperial Government for an Imperial Final Court of Appeal in two divisions, one for the United Kingdom, another for the Colonies. If that step is taken, the position of Ireland will need fresh consideration.*

Decision of Constitutional Questions.†

The validity of an Irish Act which has received the Royal Assent will, like that of a Colonial Act which has received the Royal Assent, be determined in the ordinary course by the Irish Courts, with an ultimate appeal to the Judicial Committee, which should be strengthened for the occasion by one or more Irish Judges. But both the previous Home Rule Bills made the convenient provision that the Lord-Lieutenant should have the power of referring questions of validity arising on a Bill, before its enactment, to the Judicial Committee of the Privy Council for final decision. There is a useful Canadian precedent for this provision, in the Imperial Act passed in 1891, for giving the Governor-General in Council power, in the widest terms, to refer, *inter alia*, questions touching provincial legislation to the Supreme Court of Canada, with an appeal from it to the Judicial Committee.‡ To follow this precedent would not involve any Federal complications.

* Cd. 5741, 1911, pp. 46-51.
† See Appendix and the Bill of 1886, Clause 25; Bill of 1893, Clause 22.
‡ 54 and 55 Vict., Ch. 25, Sect. 4.

Exchequer Judges.

If Ireland controls her own Customs and Excise, no provision for this tribunal appears to be necessary, unless it be that some counterpart is needed for the Colonial Courts of Admiralty.* The Bill of 1886 (Clause 20) limited the jurisdiction to revenue questions. The Bill of 1893 (Clause 19) widened it to include "any matter not within the power of the Irish Legislature," or "any matter affected by a law which the Irish Legislature have not power to repeal or alter." The minds of the authors of this clause were evidently affected by the Federal principle which involves two judicial authorities—one for Federal, one for provincial matters. There seems to be no reason for embarking on any such complications in the case of Ireland.

Safeguards for Existing Public Servants in Ireland.†

Retrenchment, and in some departments drastic retrenchment, will be needed in the Irish public service, just as it was needed in the Transvaal after the grant of Home Rule to that Colony. It is highly desirable that statutory provision should be made safeguarding existing interests. No such provision was made in the case of the Transvaal, and some bad feeling resulted. The past responsibility for excessive Civil expenditure lies, of course, on Great Britain, as it lay in the case of the Transvaal, and on grounds of abstract justice it would have been fair in that case for Great Britain to have assumed a limited part of the expense of compensating retrenched public servants. The practical objections to such a policy are, however, very great. In this, as in all matters, Ireland will gain more by independence than by financial aid, however strongly justified. All payments should be a direct charge upon the Irish Exchequer, not, as in some cases under the Bill of 1893, upon the Imperial Exchequer in the first instance, with provision for repayment from Ireland.

* Courts of Admiralty in the Colonies are regulated by Imperial Acts, though by an Act of 1890 large powers were conferred on the Colonies of declaring ordinary Courts to be Courts of Admiralty (see Moore's "Commonwealth of Australia," pp. 11 and 251).

† See Clauses 27-30 of the Bill of 1886, and Clauses 25-28 of the Bill of 1893.

Finance.

I summarize the conclusions already indicated in previous chapters:

1. Fiscal independence, with complete control over all Irish taxation and expenditure.

2. Initial deficit to be supplied by a grant-in-aid, diminishing annually and terminable in a short period, say, seven years.

3. Future contribution to Imperial services to be voluntary.

4. Remission to Ireland of her share of the National Debt, and relinquishment by Ireland of her share of the Imperial Miscellaneous Revenue.

5. Imperial credit for Land Purchase to be extended as before, by loans guaranteed on the Consolidated Fund, under any conditions now or hereafter to be made by the Imperial authorities.

Loans to the Public Works Commissioners to be optional.

Representation at Westminster.

To cease.

Conference between the Irish and Imperial Authorities.

This is a very important point, because friendly consultation, as at present with the Colonies, will take the place of Irish representation in the Imperial Parliament, and will prove a far more satisfactory means of securing harmony and co-operation. Arrangements similar to those of the Imperial Conference, only more precise and efficient, and of a permanent character, should be made for consultation between the Irish and British authorities on all subjects where the interests of the two countries touch one another. The need for more frequent consultation with the Colonies is being felt with increasing force, and although no permanent consultation body has yet been created, special *ad hoc* conferences have recently been held—for Defence in 1909, and for Copyright in 1910—in addition to the quadrennial meetings, where a vast amount of varied topics are discussed, and the most valuable decisions arrived at.*

* See the Précis of Proceedings, Cd. 5741, 1911.

What the precise machinery should be in the case of Anglo-Irish relations I do not venture to say. The Ministers of the respective countries will be so easily accessible to one another that there would seem to be no need for the frequent attendance of a powerful personnel at joint meetings. But a Standing Committee, with a small official staff, would be necessary.

Constitutional Amendment.*

For amendment of the Home Rule Act itself it is not possible to make any statutory provision. Like all Constitutional Acts, it will only be alterable by another Imperial statute, which, if it were needed, should be promoted by Ireland. But one of the most important clauses in the Act itself will be that defining Ireland's power to amend her own Constitution without coming to Parliament. I venture to repeat the view that this power should be as wide as possible, consistently with the maintenance of the Imperial authority, and subject, of course, to provisions prescribing—(1) a time-limit for the initial arrangements; (2) the method of ascertaining Irish opinion; and (3) the majority in the Legislature, or in the electorate, or in both, necessary to sanction a constitutional change.† If a Home Rule Constitution, passed into law in the heat of a party fight at Westminster, proves to be perfect, a miracle will have been performed unparalleled in the history of the Empire. At this moment a Committee of Ireland's ablest men of all parties should be at work upon it, with an instructed public opinion behind them. So only are good Constitutions made, and even the very best need subsequent amendment.

* See pp. 225-227.

† See Section 128 of the Australia Constitution Act, 1900, and Section 152 of the South Africa Act, 1909.

CONCLUSION

Is it altogether idle to hope that some such body will yet come into existence, if not in time to influence the drafting of the Bill, at any rate to bring to bear upon its provisions the sober wisdom, not of one party only in the State, but of all; and so, if it were possible, to give to the charter of Ireland in her "new birth of freedom" the sanction of a united people?

Home Rule will eventually come. Within the Empire, the utmost achieved by the government of white men without their own consent is to weaken their capacity to assume the sacred responsibility of self-government. It is impossible to kill the idea of Home Rule, though it is possible, by retarding its realization, to pervert some of its strength and beauty, and to diminish the vital energy on which its fruition depends. And it is possible in the case of Ireland, up to and in the very hour of her emancipation, after a struggle more bitter and exhausting than any in the Empire, to heap obstacles in the path of the men who have carried her to the goal, and on whom in the first instance must fall the extraordinarily difficult and delicate task of political reconstruction. They will be on their mettle in the eyes of the world to prove that the prophets of evil were wrong, to show sympathy and inspire confidence in the very quarters where they have been most savagely traduced and least trusted, and they will have to exhibit dauntless courage in attacking old abuses and promoting new reforms. They will need their hands strengthened in every possible way.

The help must come—and it cannot come too soon—from the working optimists of Ireland, from the hundreds of men and women, of both parties and creeds, who are labouring outside politics to extirpate that stifling undergrowth of pessimism which runs riot in countries denied the light and air of freedom. All these people agree on the axiom that Ireland has a distinct individual existence, and that her future depends

upon herself. No one should dare to stop there. Let him who feels impelled to stop there at any rate act with open eyes. In expecting to realize social reconstruction without political reconstruction—however divergent the aims may now seem to be—he expects to achieve what has never been achieved in any country in the Empire, and to achieve this miracle in the very country which has suffered most from political repression, and possesses the most fantastic system of government to be found in the King's dominions. The thing is impossible, and if at bottom he feels it to be so, and inclines sadly to the view that political servitude is but the least of two evils, I would only venture to suggest this : Is it not a finer course to stake something on a risk run in every white community but Ireland rather than to face the certainty of half achievement ? And is it not, after all, a sound risk to trust the very men who now respond to the appeal for self-reliance, mutual tolerance, and united effort in their private affairs, not to renounce these qualities and abuse the rights of citizenship when the public affairs of their country are under their own control ?

As for the risk to Great Britain, I have only this last word to say : Let her people, not for the first time, show that they can rise superior to the philosophy, as fallacious in effect as it is base and cowardly in purpose, which sets the safety of a great nation above the happiness and prosperity of a small one. Within the last few weeks the wheel has turned full circle, and the almost inexplicable contradiction which has existed for so long between Unionism and Imperialism has been illuminated with a frank cynicism rare in our public life. It is being said that the freedom given to Canada cannot be given to Ireland, because the separation from the Empire theoretically rendered possible by such a step would be immaterial in the case of Canada, which is distant, but perilous in the case of Ireland, which is near. If this be Imperialism, it should stink in the nostrils of every decent citizen at home and abroad.

It is true, to our shame, that, by little more than an accident, Canada obtained the freedom which gave her people harmony, energy, and wealth in the teeth of this mean and selfish doctrine. But Lord Durham took a higher view. Let me recall the memorable words which he added to his long and

brilliant argument for liberty as a source, not only of domestic regeneration, but of affection and loyalty to the Motherland: "*But at any rate our first duty is to secure the well-being of our colonial countrymen;* and if, in the hidden decrees of that wisdom by which this world is ruled, it is written that these countries are not for ever to remain portions of the Empire, we owe it to our honour to take good care that, when they separate from us, they should not be the only countries on the American continent in which the Anglo-Saxon race shall be found unfit to govern itself."

Lord Durham was doubly right; in his prophecy of the closer union liberty would promote, and in elementary law which he laid down, of moral obligation which, whatever the result, he held superior to dynastic calculations. It is a fact of ominous significance that the intellectual successors of the men who most hotly repudiated both these doctrines in 1838 are being driven by pressure of their Irish views to revive that repudiation in 1911, and to revive it in the midst of the most effusive protestations of the need for still closer union with a Colony which would either have undergone the fate of Ireland or have ceased to be a member of the Empire if their philosophy had triumphed. I do not believe there is any conscious cant in that flagrant contradiction, but I do firmly believe that so long as their error about Ireland poisons in them the springs of Imperial thought, some element of fallacy lies in any Imperial policy they undertake. In common prudence, at any rate, they should avoid telling Canada, while beckoning her nearer to the heart of the Empire, that they only gave her freedom because she was so far.

But I rely still on an awakening, on a fundamental change of spirit. The Empire owes everything to those who have disputed, sometimes at the cost of their lives, illegitimate authority. Some day the politicians who now spend sleepless nights with paste and scissors in ransacking the ancient files of the world's Press for proofs that Mr. Redmond once used words signifying that he aimed at "separation"—whatever that phrase may mean—will regret that they ever demeaned themselves by such petty labour, and will place Mr. Redmond among the number of those who have saved the Empire from the consequences of its own errors.

APPENDIX

COMPARATIVE TABLE, SHOWING THE PRINCIPAL PROVISIONS OF THE HOME RULE BILLS OF 1886 AND 1893

HOME RULE BILL OF 1886.	HOME RULE BILL OF 1893.
THE IRISH LEGISLATURE.	
To consist of the Crown and *Two Orders*, sitting together, and unless either Order demands a separate vote, voting together.	To consist of the Crown and *Two Houses*, sitting separately.
1. *First Order*, to consist of (*a*) 75 members elected on a £25 franchise from a new set of constituencies. Term of office, ten years. (*b*) 28 Peerage members, to give place by degrees to elective members as in (*a*).	1. *Council*, of 48 Councillors elected on a £20 franchise from a new set of constituencies. Term of office, eight years.
2. *Second Order*, 204 memberes elected as at present. Two from each constituency (with an alteration in the case of Cork). Dissolution at least every five years.	2. *Assembly* of 103 members elected as at present. Dissolution at least every five years. *Money Bills* and votes to originate in the Assembly.
DISAGREEMENT BETWEEN ORDERS OR HOUSES.	
After three years or a dissolution question to be decided by oint vote.	After two years or a dissolution question to be decided by joint vote in joint session.
RESTRICTIONS ON IRISH LEGISLATURE.	
1. *Imperial Matters.*	
No power to make laws about— The Crown, War or Peace, Army or Navy, Volunteers or Militia, Prize or Booty of War, Treaties, Titles, Treason, Naturalization, Trade or Navigation, Lighthouses, etc., Coinage, Copyright, Patents, Post Office (except within Ireland).	*Nor* with: the Lord-Lieutenant, conduct as Neutrals, Extradition, Trade-marks, nor (for six years) Post Office in or out of Ireland. But Trade *within Ireland* and *inland* Navigation conceded to Ireland.

2. *Irish Matters.*

No power to make laws for the purpose of—

(1) *Establishing or endowing any religion* or imposing disabilities or conferring privileges on account of *religion*, or affecting the undenominational constitution of National schools, etc.

(2) Impairing rights or property of corporations, without address for both Orders and consent of Crown.

(1) Ditto, ditto, but more explicit and far-reaching.

(2) Ditto, ditto, or "without due process of law" and compensation.

(3) Depriving anyone of *life, liberty, or property* without due process of law in accordance with settled precedents, or denying *equal protection of laws*, or taking property without *just compensation*.

(4) Imposing disabilities or conferring privileges on account of *birth, parentage, or place of business*.

(5) (*For three years*) respecting relations of *landlord and tenant* or the purchase and letting of *land* generally.

Irish Representation in Imperial Parliament.

To cease altogether (except in the case of a proposed alteration of the Home Rule Act).

Ireland to send 80 members to Westminster (instead of 103). Peers as before.

Executive Authority.

The Crown, as represented by the Lord-Lieutenant, acting in Irish affairs with the advice of an Irish Cabinet responsible to the Irish Legislature.

Power of Veto on Irish Legislation.

To be held by Lord-Lieutenant (acting normally on the advice of Irish Cabinet ?), but subject to instructions from Imperial Government.

To be held by Lord-Lieutenant, *acting on advice of Irish Cabinet*, but subject to instructions from Imperial Government.

Finance.

1. *Taxation.*

Customs and Excise still to be levied by Imperial Parliament and collected by Imperial officers. All other taxes to be under Irish control.	(1) *For six years* all existing taxes to continue to be imposed by Imperial Parliament and collected by Imperial officers. Ireland to have power to impose additional taxes of her own. (2) *After six years*, Customs and Excise to remain Imperial taxes; all others to be under Irish control. But Excise to be collected, though not levied, by Ireland.

2. *Ireland's Revenue.*

Gross revenue collected in Ireland from Imperial and Irish taxes and Crown Lands, etc.; *plus* an Imperial grant towards the cost of Irish Police. (Total cost at that time £1,500,000: Ireland to pay £1,000,000, Treasury any surplus over £1,000,000, until cost reduced to that point.)	(1) *True* Irish revenue from Imperial taxes (*i.e.*, with allowance made for duties collected in Ireland on articles consumed in Great Britain, and *vice versa*). (2) Revenue from Irish taxes and Crown Lands. (3) Imperial grant of one-third of annual cost of Irish Police (equal in first year to £486,000).

3. *Ireland's Contribution to Imperial Exchequer.*

(1) *For thirty years* Ireland to pay fixed annual maximum sums, representing Ireland's share of (*a*) Army, Navy, Civil List, etc.; (*b*) National Debt. Payments not to be increased, but might be diminished. Share for Army, Navy, etc., never to exceed one-fifteenth of total cost. Total payments under these heads for first year, £3,242,000.	(1) *For six years* Ireland to pay *one-third of the "true" revenue raised in Ireland from Imperial taxes and Crown Lands.* (Estimated share for first year, £2,276,000, or about one-twenty-eighth of total Imperial expenditure.)
(2) *After thirty years*, contribution *to be revisable.*	(2) *After six years*, both method and amount of Ireland's contribution to be revised and settled afresh.

4. Contribution to Special War Taxes.

Optional to Ireland.	For six years compulsory on Ireland to pay her proportional share of any such tax levied.

5. Post Office.

To be taken over by Ireland under Irish Act.	For six years to remain under Imperial control. Profit or loss on Irish posts to be credited to or debited against Ireland.

POLICE.

Dublin Police to be under Imperial control for two years. Constabulary, "while that force subsists," to be under Imperial control, but Ireland to have power to create a new force under control of local authorities.	Both Dublin Police and Constabulary, as long as they should exist, to be under Imperial control. Meanwhile an ordinary locally controlled civil police to be gradually established by Irish Government, and to take the place of the old forces. But *for six years*, Imperial Government to have the power to maintain in existence the old forces, if considered expedient.

JUDGES.

Present Irish Judges to Remain.

All future Irish Judges to be appointed by Irish Government.	For six years future Irish Supreme Court Judges (not County Court Judges, etc.) to be appointed by Imperial Government. After six years by Irish Government.

LAW COURTS.

Constitution to Remain the Same.

	But appeals to the House of Lords to cease; instead, to the Judicial Committee of the Privy Council.

CONSTITUTIONAL QUESTIONS.

(As to Validity of Irish Laws, etc.).

To be decided by the Judicial Committee of the Privy Council (including one or more Irish Judges).

EXCHEQUER JUDGES.	
Legal proceedings in Ireland by or against Imperial revenue authorities to be referred, if either party wishes, to the Exchequer Division Judges of the United Kingdom.	All legal proceedings in Ireland *which touch any matter* (financial or otherwise) *not within the power of the Irish Legislature* to be referred, if either party wishes, to two Exchequer Judges appointed and paid by the Imperial Government. Appeal to be to the Judicial Committee of the Privy Council.
LORD-LIEUTENANT.	
Might be of any Religion.	
Term of office indefinite.	Term of office six years.
CONSTITUTIONAL AMENDMENT.	
After the first dissolution, Legislature to have power to reconstitute Second Order.	After six years, Legislature to have power to reconstitute Assembly.

REMARKS ON THE FINANCIAL ARRANGEMENTS.

The arrangements differed widely in the two Bills.

The main points of likeness were: (1) That from the first there was to be a *separate Irish Exchequer;* (2) that for all time Ireland was to be *denied control over the imposition of Customs and Excise*—that is to say, over about *three-quarters of her revenue* as then raised; (3) that about *a third of the cost of the Irish Police* was to be paid by the Imperial Government; (4) that payments due from Ireland to the Imperial Government were to be made a first charge on proceeds of Imperial taxes in Ireland.

The principal points of difference were:

1. Under the Bill of 1886, apart from the very important restriction of Customs and Excise, Ireland was at once to have freedom to control her own taxation.

Under the Bill of 1893 (as amended) there was to be a suspensory period of six years during which all existing taxes were to continue to be imposed by the Imperial Government; but with power to Ireland to add taxes of her own. *Amounts* of Imperial taxes might be varied, but *no new ones* imposed, except specially for war. After six years, financial freedom, except in Customs and Excise. Excise, however, was to be *collected*, though not levied, by Ireland.

2. *"Collected" and "True" Revenue.*—In 1886, Ireland was credited with all the revenue *collected in Ireland* from Customs and Excise (*i.e.*, the "gross" revenue from those taxes), but she had to pay the cost of collection herself.

In 1893 allowance was made for duties collected in Ireland on articles consumed in Great Britain, and *vice versa*, Ireland being credited only with her "true" revenue—that is, revenue from dutiable articles *consumed in Ireland.* Similar allowances made in the Income Tax account. A joint Anglo-Irish Committee was to settle these adjustments. This system involved a deduction from the first year's gross Irish revenue of nearly two millions. (In 1886 the corresponding sum, credited to Ireland, was £1,400,000.) On the other hand, in 1893 the greater part of the cost of collection (£235,000) was not to be borne by Ireland.

3. *Imperial Contribution by Ireland.*—In 1886, a fixed annual maximum, which might be diminished, but could not be exceeded, revisable in thirty years.

In 1893 (for six years) an annually ascertained *quota*—namely, a third of Ireland's "true" revenue (exclusive of taxes imposed by herself).

4. *Ireland's Budget.*—Note the important point that under both Bills three-quarters of Irish revenue was derived from Customs and Excise, over which, in 1886, Ireland could exercise no control; in 1903 only the control given by the presence of eighty members in the House of Commons. In both cases Ireland was to be wholly responsible for her own civil expenditure (except for the existing Police). Under both Bills Ireland was intended to start with a surplus of about half a million, which may be regarded roughly as the equivalent, in both cases, of the Imperial share of the cost of the Irish Police. But note that, in 1886, Ireland being pledged to pay a fixed million of the cost of Police, would obtain no relief until the cost was reduced below a million; while in 1893, paying two-thirds of the annually ascertained cost, she would obtain relief from any annual reduction. The Police referred to was, of course, the then existing Police, imperially organized and controlled. The new civil Police eventually set up in substitution would be financed and controlled by the Irish Government. The charges, therefore, on the British taxpayer would, it was expected, be a rapidly diminishing one.

The loss on Irish posts in 1893, debited against Ireland, was estimated at £52,000.

5. *Special War Taxes.*—Ireland's contribution optional in 1886; in 1893, compulsory (at any rate, for six years, which would have included the beginning of the South African War).

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